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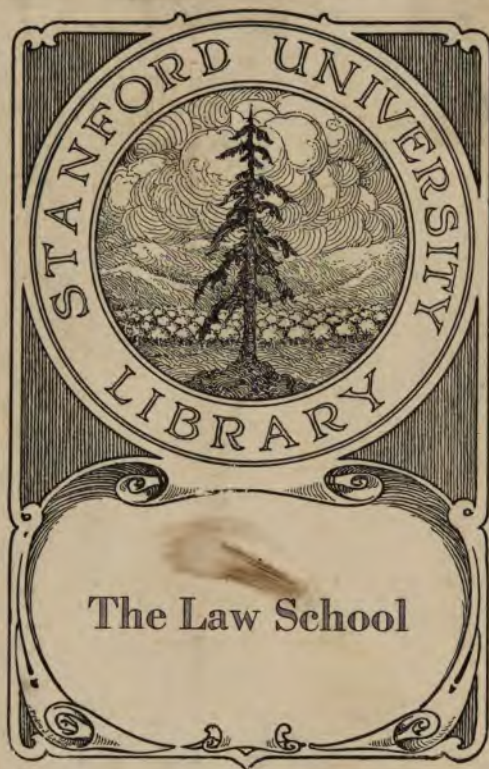
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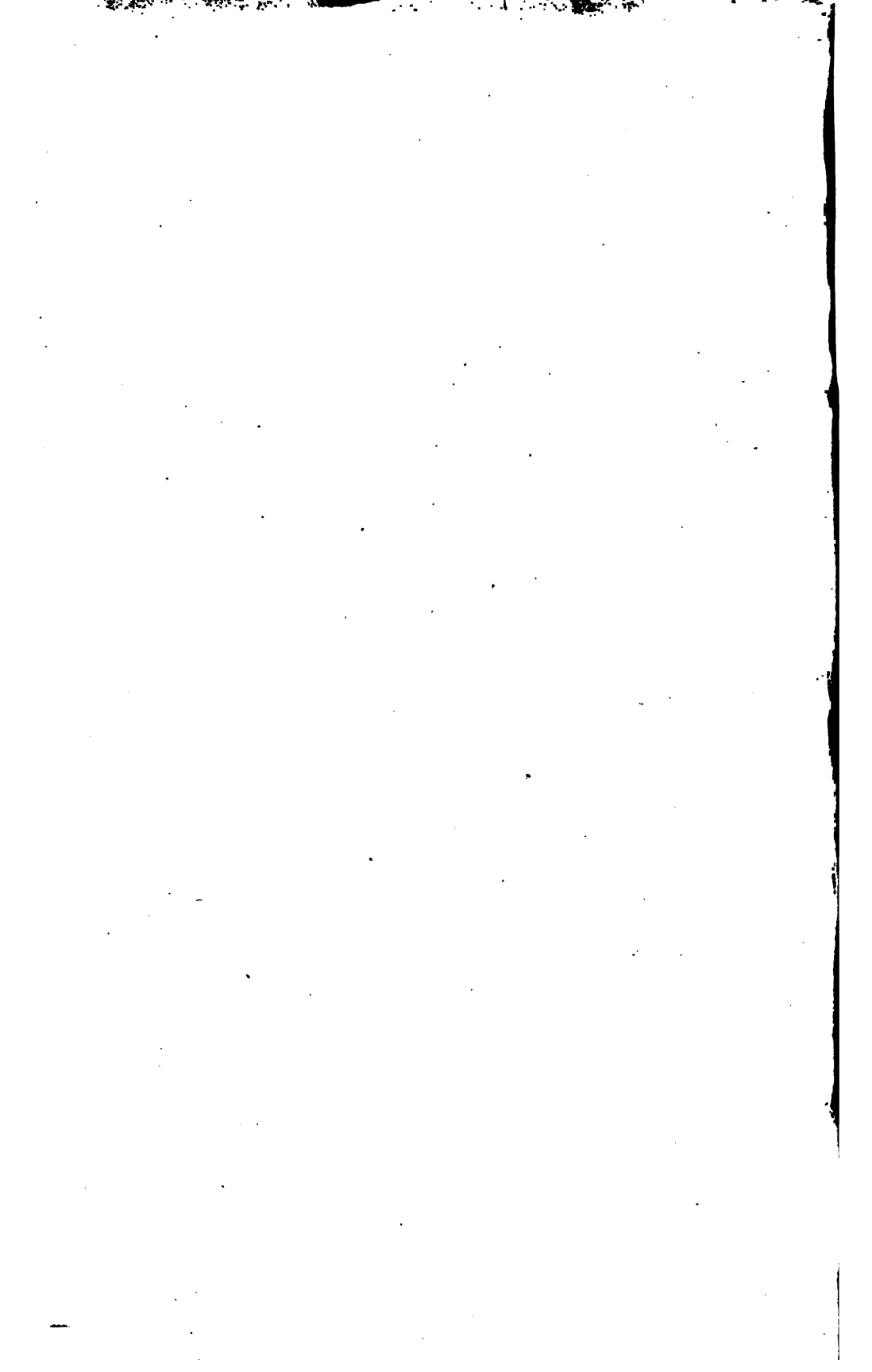
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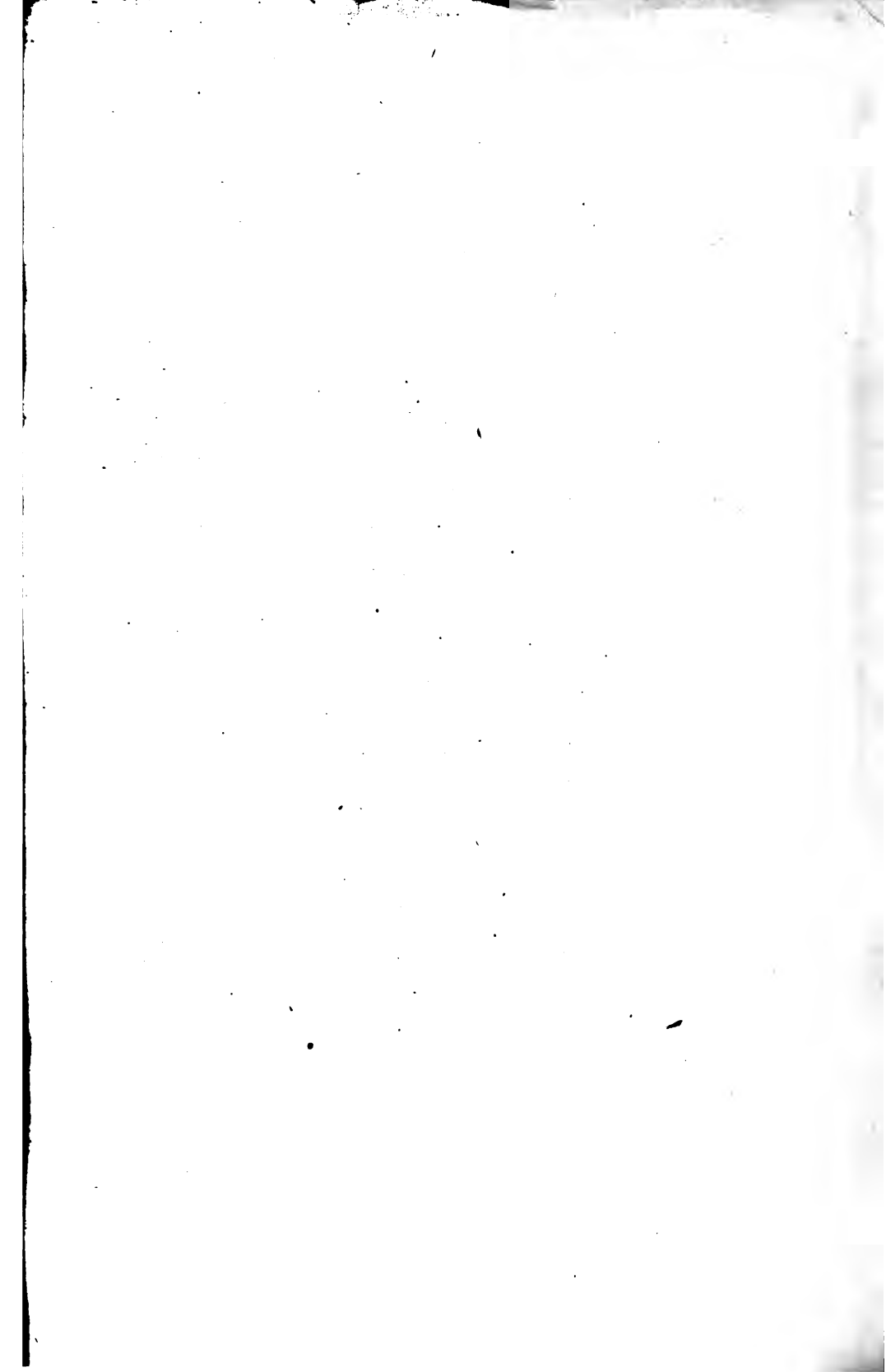
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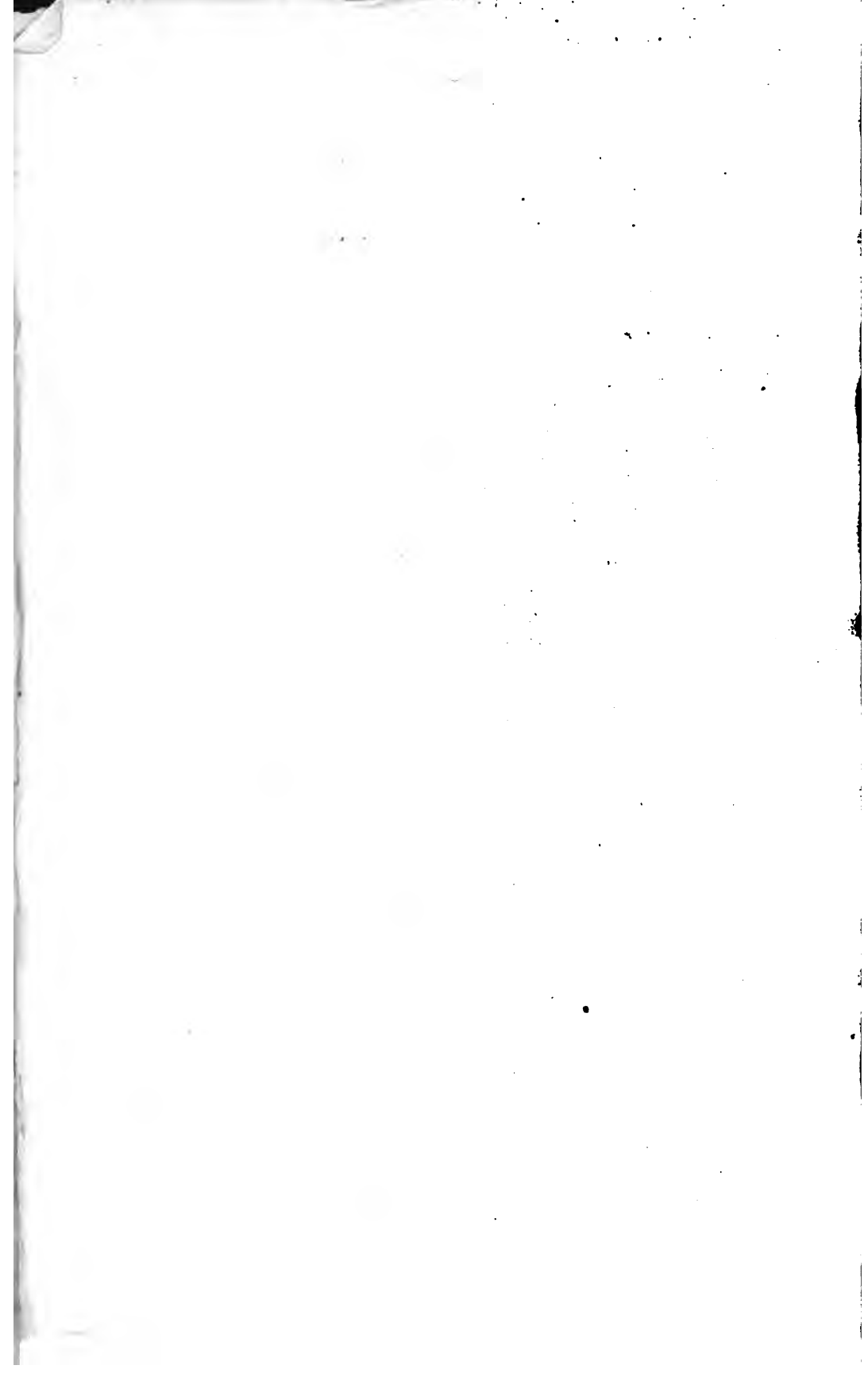


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South Carolina Collection







ACTS AND JOINT RESOLUTIONS
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OF THE
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PASSED AT THE
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ACTS OF THE GENERAL ASSEMBLY
OF THE
STATE OF SOUTH CAROLINA,

*Passed at the Regular Session, which was begun and held at the city
of Columbia, on the Twenty-Third day of November, A. D.
1875, and was adjourned without day on the Fourteenth
day of April, A. D. 1876.*

DANIEL H. CHAMBERLAIN, GOVERNOR. R. HOWELL GLEAVES,
President of the Senate. ROBERT B. ELLIOTT, Speaker of the
House of Representatives.

AN ACT TO INCORPORATE THE COLUMBIA MANUFACTURING
COMPANY.

A. D. 1875.

No. 1.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That L. D. Childs, J. J. Gregg, John Agnew, W. C. Swaffield, J. P. Southern, Richard O'Neale, W. B. Stanley and others, their associates and successors, are hereby made and created a body politic and corporate, under the name and style of the Columbia Manufacturing Company, for the purpose of manufacturing cotton yarns and cloths, paper and such other articles as the demands of the community may require, and for procuring and making such machinery to carry on such manufactures, and also for the transaction of all such business as may be connected with the above purposes, with a capital of two hundred and fifty thousand dollars, with the privilege to increase it to any extent not exceeding one million dollars, the consent of a majority of the stockholders being first had and obtained.

Corporators.

Corporate
name.

Object of cor-
poration.

Capital stock.

SEC. 2. That the said corporation may purchase and hold such real estate as may be required for their purposes, or such as they may deem it for their interest to take in settlement of any debt due

May acquire
and dispose of
real estate.

A. D. 1875.

May erect
mills, machine
shops, &c.General pow-
ers and privi-
leges.

to them, and may dispose of the same, and may erect such mills, machine shops and other buildings thereon as may be deemed necessary; and may sue and be sued, have and use a common seal, and make such by-laws for the regulation and government of said corporation, not inconsistent with the Constitution and laws of the United States and of this State, as may be deemed necessary, and shall have, generally, all the rights, powers and privileges in law incident or appertaining to similar corporations.

SEC. 3. That this Act shall be deemed a public Act, and shall continue in force during the term of thirty years.

Approved December 22, 1875.

No. 2. AN ACT TO INCORPORATE THE CAMPERDOWN MILLS, IN THE STATE OF SOUTH CAROLINA.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same; That Sampson Hall & Co., Thomas M. Cox, Alexander McBee, Hamlin Beattie, H. C. Markley, and their associates and successors, who have subscribed or may hereafter subscribe to the capital stock of the company herein incorporated, are hereby made and created a body politic and corporate in law, by the name of the Camperdown Mills, for the purpose of manufacturing, dyeing, printing and finishing all goods of which cotton or other fibrous articles may form a part, as well as all machinery used for such purposes, and for the transaction of such business as may be necessarily connected therewith, and may erect or lease such mills, buildings, lands, water power, &c., as may be required to carry on such branches of manufacture, with a capital stock of one hundred and seventy-five thousand dollars, with power to increase the same to a sum not exceeding three hundred thousand dollars, to be paid for in money, real estate, leases or machinery.

SEC. 2. That the said corporation may purchase and hold such real estate as may be required for the purpose of said corporation, or such as they may be obliged or deem it for their interest to take in the settlement of any debts due the said corporation, and may dispose of the same; and may sue and be sued in all Courts of law and equity; and may use a common seal, and make such by-laws for the regulation and government of said corporation as are not inconsistent with the Constitution and laws of the United States and of this State.

May hold and
alien real es-
tate.General pow-
ers.

SEC. 3. That the corporators herein, or a majority of them, within thirty days after the passage of this Act, may meet and proceed to organize and elect such officers as they may deem necessary for conducting the affairs of the company, to hold office until their successors are elected: *Provided*, That at least two weeks' notice be given of such meeting in a newspaper published in the city of Greenville, and that notice of all future annual meetings of the corporation shall be published in one newspaper in the city of Greenville, and a written or printed notice sent to each stockholder at least twenty days before such meetings.

A. D. 1875.

Election of officers.

SEC. 4. That the said corporation may organize and go into operation when the sum of one hundred and fifty thousand dollars is subscribed, as heretofore provided, and an oath or affirmation thereof shall be made by the President and Treasurer, which shall be recorded in the office of the Secretary of State, and published in at least two newspapers, one in the city of Greenville and the other in the city of Charleston; and when these requirements are complied with, the said corporation is authorized to commence operations under this Act, and to call for the payment of the stock subscribed in such sums and at such times as the President and a majority of the Directors of the said corporation may determine.

When may commence business.

SEC. 5. That every member of said corporation shall be liable, jointly and severally, for all debts and contracts made by such corporation until the whole amount of his subscription to the capital stock thereof shall have been actually paid in.

Liability of corporators.

SEC. 6. The capital stock shall be transferable upon the books of the said corporation: *Provided*, Transfers be made upon the books of the corporation at least twenty days previous to each annual meeting of the said corporation; and no part of the said capital stock shall at any time, or upon any pretense whatever, be loaned or divided among the stockholders; neither shall the capital be withdrawn or divided among the stockholders until the liabilities of the company are lawfully paid, and no dividend shall be declared except from the net earnings of the company. Each stockholder shall have one vote for each share he may own or represent at the election of Directors and all meetings of the corporation; no meeting of the company to be legal unless a majority of the stock is represented.

Transfer of capital stock.

When may declare dividends.

Manner of election.

SEC. 7. That if the subscriber to any share shall neglect to pay any installment assessed thereon for the space of thirty days after the time appointed for the payment thereof, the Treasurer of the company may, by order of the President and a majority of the Directors, sell by public auction a sufficient number of such delinquent shares to pay all installments then due from him, with all

Sale of delinquent shares.

A. D. 1875.

necessary incidental charges; and in the event of the sale of such delinquent shares there be not realized a sufficient amount to pay such installments and charges, then such delinquent subscriber shall be liable for the deficiency. The Treasurer shall give notice of the time and place of sale, and of the sum due on each share, by advertising the same three weeks successively before the sale in some newspaper which may be printed near the vicinity of the establishment; and a bill of sale of the share so sold, made by the Treasurer, shall transfer said stock to the purchaser, who shall be entitled to a certificate thereof.

Annual statement.

SEC. 8. That the Directors shall submit to the stockholders annually a written statement, under oath or affirmation of the Treasurer of the corporation, setting forth the amount of the capital paid in and general assets of the company, and also of the amount of all existing debts.

SEC. 9. That this Act shall be deemed and taken as a public Act, and continue of force for the term of thirty years.

Approved December 22, 1875.

No. 3. AN ACT TO AMEND SECTION 7, CHAPTER XX, TITLE VI, PART I, OF THE REVISED STATUTES, RELATING TO THE BONDS OF SHERIFFS.

Amount of Sheriff's bond.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 7, Chapter XX, Title VI, Part I, of the Revised Statutes be amended by adding after the word "dollars," in the seventh line, "and in the Counties of Spartanburg and Greenville, where the bond of the Sheriff shall be in the sum of fifteen thousand dollars."

Approved December 22, 1875.

No. 4. AN ACT TO REGULATE THE DISTRIBUTION OF MONEYS RECOVERED FROM OFFICERS OF THIS STATE IN SUITS BROUGHT UPON THEIR OFFICIAL BONDS, OR OTHERWISE.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That whenever any officer of this State charged with the care, collection or dis-

bursement of public funds is required to give bond to the State, and a recovery is had upon said bond, or any moneys are seized, levied upon or attached in his hands, or turned over or surrendered by such officer to the State Treasurer, upon his commitment to jail under warrant from the State Treasurer, that the moneys so recovered, seized, levied upon, attached or surrendered, or turned over, shall be distributed between the State, County, school or other specific funds in proportion to the several amounts due by the said officer to the State, County, school or other specific funds at the time of such recovery, seizure, attachment, levy or surrender.

A. D. 1875.

Distribution of moneys recovered on official bonds.

SEC. 2. That the provisions of this Act shall only apply to suits, seizures, attachments or levies by or surrenders to public officers, and not to suits upon the bonds of such officers brought by private individuals.

To what suits this Act to apply.

SEC. 3. That all Acts or parts of Acts inconsistent with this Act are hereby repealed.

Approved December 22, 1875.

AN ACT TO MAKE APPROPRIATION FOR THE PAYMENT OF THE SALARY AND MILEAGE OF THE MEMBERS OF THE GENERAL ASSEMBLY, AND THE SALARIES OF THE SUBORDINATE OFFICERS AND EMPLOYEES, AND OTHER EXPENSES INCIDENTAL THERETO.

No. 5.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That for the payment of the salary and mileage of the members of the General Assembly, and the salaries of the subordinate officers and employees, and other incidental expenses, the sum of one hundred and forty thousand dollars, or so much thereof as may be necessary, be, and the same is hereby, appropriated, as follows:

Amount appropriated.

For the payment of the salary and mileage of the members of the General Assembly, one hundred and three thousand dollars, or so much thereof as may be necessary.

Pay of members.

For the salary of J. Woodruff, Clerk of the Senate, twenty-five hundred dollars.

Employees.

For the salary of A. O. Jones, Clerk of the House of Representatives, twenty-five hundred dollars.

For the salary of John A. Barre, Assistant Clerk of the Senate, twelve hundred dollars.

A. D. 1875.

For the salary of Wm. J. Etter, Assistant Clerk of the House of Representatives, twelve hundred dollars.

For the salary of H. L. Shrewsbury, Journal Clerk of the House of Representatives, one thousand dollars.

For the pay of R. A. Sisson, Reading Clerk of the Senate, six dollars per day during the session.

For the pay of W. B. Marshall, Reading Clerk of the House of Representatives, six dollars per day during the session.

For the pay of J. E. Green, Sergeant-at-Arms of the Senate, six dollars per day during the session.

For the pay of George C. Clyde, Sergeant-at-Arms of the House of Representatives, six dollars per day during the session.

For the pay of Henry Daniels, Assistant Sergeant-at-Arms of the House of Representatives, five dollars per day during the session.

For the pay of James Wells, Chief Messenger or Bill Clerk of the Senate, three dollars per day during the session.

For the pay of R. W. Butler, Chief Messenger or Bill Clerk of the House of Representatives, five dollars per day during the session.

For the pay of John West, John B. Dennis, S. D. Kirk, Committee Clerks of the Senate; W. J. Corbit, S. D. Epstein, T. McCants Stewart, Louis Schiller, I. H. White, N. R. Williams, Committee Clerks of the House of Representatives, five dollars per day during the session.

For the pay of Adam Thomas, Henry Bee, Doorkeepers of the Senate; R. R. Duncan, Augustus Harris, S. P. Picksley, Doorkeepers of the House of Representatives, three dollars per day each during the session.

For the pay of James Major, Isaac Castles, Elias Johnston, Messengers of the House of Representatives, three dollars per day each during the session.

For the pay of John Evans, Simeon Sanders, Edward Owens, Laborers of the Senate; Andrew Sumter, Preston Richardson, Robert Scriven, B. F. Donaldson, Laborers of the House of Representatives, three dollars per day each during the session.

For the pay of M. Pinckney, Mail Carrier of the House of Representatives, three dollars per day during the session.

For the pay of Lewis Grant, Porter in office of Clerk of the Senate, three dollars per day during the session.

For the pay of Thomas Hayne, Morgan Gibson, Robert Leslie, Buck White, Pages of the Senate; James Lee, Wm. Lomax, F. A. Spelman, Charles C. Levy, Pages of the House of Representatives, one dollar and fifty cents per day during the session.

For the pay of L. T. Levin, S. A. Sanders, James W. Wilkinson, J. Bahlman, H. H. Logan, George A. Holloway, Engrossing Clerks in the office of Secretary of State, six dollars per day each during the session.

A. D. 1875.

For the pay of Samuel J. Lee, T. M. Wilkes, J. B. Arthur, H. Noah, Attorneys and Clerks in office of Attorney General, six dollars per day each during the session.

For the pay of Wm. Vaughn, Porter in office of Secretary of State, three dollars per day during the session.

For incidental or contingent expenses of the Senate, five thousand dollars, to be paid on accounts audited by the Committee on Contingent Expenses and passed by the Senate.

Contingent expenses:
Senate.

For incidental or contingent expenses of the House of Representatives, seven thousand dollars, to be paid on accounts audited by the Committee on Contingent Accounts and passed by that body.

House.

SEC. 2. That the President of the Senate and Speaker of the House of Representatives, respectively, shall furnish pay certificates for the amount of salary and mileage due to each member of the Senate and House of Representatives, as fixed by an Act entitled "An Act to regulate the pay of the members of the General Assembly," approved March 13, 1872, and to each officer or employee of that branch of the General Assembly to which such officer or employee shall respectively belong, signed by the presiding officers, respectively, and properly attested to by the Clerk of such branch of the General Assembly.

Certificates to be furnished to members and employees.

SEC. 3. That the payment of contingent accounts shall be made upon certificates of that house in which accounts are passed, signed by the presiding officer and attested by the Clerk of each house, respectively; and the State Treasurer is hereby authorized and directed to pay, at his counter, said certificates as above set forth.

Contingent expenses:
Mode of payment.

SEC. 4. That in the payment of the said appropriation, the State Treasurer is hereby authorized and directed to pay, at his counter, said orders or certificates in the following order:

Order of payment.

First. Certificates of members of the Senate and House of Representatives for salary and mileage.

Second. Certificates of officers of the two houses for salary.

Third. Certificates of pay for Sergeant-at-Arms and Assistant Sergeant-at-Arms, Reading Clerk, Committee and Engrossing Clerks, Attorneys at Law, Bill Clerks, Messengers, Porters, Laborers, Pages.

Fourth. Certificates or orders for incidental or contingent expenses.

Approved December 22, 1875.

STATUTES AT LARGE

- A. D. 1875. AN ACT TO AMEND SECTION 1 OF CHAPTER CXLIII OF THE
 No. 6. REVISED STATUTES OF THE STATE OF SOUTH CAROLINA, RELATING TO INQUESTS ON DEAD BODIES.

Jury of inquest—how to be selected.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 1 of Chapter CXLIII of the General Statutes of the State of South Carolina be, and the same is hereby, amended by inserting between the word "County," in the sixth line, and the word "to," in the seventh line, the following words: "to be selected within a radius of ten miles."

Approved December 22, 1875.

- No. 7. AN ACT TO AUTHORIZE THE GOVERNOR TO APPOINT ADDITIONAL TRIAL JUSTICES FOR UNION, GEORGETOWN AND GREENVILLE COUNTIES.

Additional Trial Justices.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Governor be, and he is hereby, authorized and empowered to appoint two Trial Justices for Union County, one for Georgetown County, and one for Greenville County, in addition to the number now allowed by law for those Counties.

Approved December 22, 1875.

- No. 8. AN ACT TO AMEND AN ACT ENTITLED "AN ACT FOR THE PROTECTION AND PRESERVATION OF USEFUL ANIMALS."

"February" inserted in lieu of "January."

Killing of deer between February and September unlawful.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 1 of an Act entitled "An Act for the protection and preservation of useful animals," approved March 12, 1872, be, and the same is hereby, amended as follows, to wit: By striking out the word "January," in the sixth line thereof, and inserting the words "February first" in lieu of the same, so it shall read: "That it shall not be lawful for any person in this State to kill any deer or worry them with dogs or otherwise, with the intention of destroying them, between the first day of February and the first day of September in any year hereafter."

Approved December 22, 1875.

AN ACT TO RAISE SUPPLIES FOR THE FISCAL YEAR COMMENCING NOVEMBER 1, 1875.

A. D. 1875.

No. 9.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That a tax of one (1) mill upon every dollar of the value of all taxable property in this State be, and the same is hereby, levied to meet appropriations to pay the salaries of the Executive and Judicial officers of the State, and the Clerks and contingent expenses of the Executive and Judicial Departments of the government, for the fiscal year commencing November 1, 1875: *Provided*, That one-half of the balance of the phosphate royalty received within the fiscal year ending October 31, 1876, after paying for the Executive and legislative supplies of fuel and stationery for the said fiscal year, shall be applied to the appropriations mentioned in this Section *pro rata*.

One mill for salary and contingents.

SEC. 2. That a tax of one (1) mill upon every dollar of the value of all taxable property in this State be, and the same is hereby, levied to meet appropriations for the support and maintenance of the penal, charitable and educational institutions of the State, exclusive of common schools, for the fiscal year commencing November 1, 1875: *Provided*, That one-half of the balance of the phosphate royalty received within the fiscal year ending October 31, 1876, after paying for the Executive and legislative supplies of fuel and stationery for the said fiscal year, shall be applied to the appropriations mentioned in this Section *pro rata*.

One mill for penal and charitable institutions.

SEC. 3. That a tax of two (2) mills upon every dollar of the value of all taxable property in this State be, and the same is hereby, levied to meet appropriations for the support and maintenance of public schools for the fiscal year commencing November 1, 1875.

Two mills for schools.

SEC. 4. That a tax of one and one-tenth ($1\frac{1}{10}$) mills upon every dollar of the value of all taxable property in this State be, and the same is hereby, levied to meet appropriations to defray the expenses of the General Assembly for the regular session of 1875-76.

One and one-tenth mills for legislative expenses.

SEC. 5. That a tax of one-half ($\frac{1}{2}$) mill upon every dollar of the value of all taxable property in this State be, and the same is hereby, levied to meet appropriations for public printing for the fiscal year commencing November 1, 1875, and for the deficiency in the appropriation for public printing for the fiscal year commencing November 1, 1874, of the proceeds of which tax the sum of fifty thousand dollars shall be devoted to the payment of the

Half mill for printing.

A. D. 1875.

appropriation first named herein, and eleven thousand eight hundred and seventy-five and twenty-five one-hundredths (11,875.²⁵/₁₀₀) dollars to the payment of the deficiency above referred to.

Two mills for interest.

SEC. 6. That a tax of two (2) mills upon every dollar of the value of all taxable property in this State be, and the same is hereby, levied to meet appropriations for the payment of the interest upon the public debt, (as adjusted by the Act of December 22, 1873,) due and payable on the first days of January and July, 1876.

Three mills for County purposes.

SEC. 7. That a tax not to exceed three (3) mills upon every dollar of the value of all taxable property in each of the several Counties of this State be, and the same is hereby, levied for County purposes for the fiscal year commencing November 1, 1875, the rate to be fixed by the County Commissioners of each County; and by them certified to the County Auditor thereof, except the County

Two mills for Orangeburg.

of Orangeburg, in which County the County Commissioners shall levy a tax not to exceed two (2) mills, and Abbeville, in which the

Three and a half mills for Abbeville.

County Commissioners shall levy three and one-half (3½) mills, one-half (½) mill of which shall be used to pay deficiencies for the

One mill extra for Aiken.

fiscal year ending October 31, 1875; the County of Aiken, in which the County Commissioners shall levy an additional tax of

Three and seven-tenths mills for Anderson.

one (1) mill to pay the past indebtedness of said County; and if the tax realized therefrom be insufficient for the payment of said indebtedness, the County Commissioners of said County are hereby authorized to apply any surplus remaining unexpended from the tax collected under an Act approved January 13, 1875, in discharge of said past indebtedness; the County of Anderson, in which the County Commissioners shall levy a tax of three and seven-tenths (3⁷/₁₀) mills, seven-tenths mills of which shall be devoted exclusively to the payment of the past indebtedness of said County; the County of Barnwell, in which the County Commissioners shall levy an additional tax of two (2) mills for the purchase or construction of County buildings and the grounds on

Two mills additional for Barnwell.

which they are or may be erected, and one-half (½) mill of the three (3) mills levied for County purposes shall be applied to the payment of deficiencies for the construction and repair of bridges for the fiscal year ending October 31, 1875; the County of Beaufort, in which the County Commissioners shall levy four (4) mills, one (1) mill of which shall be used exclusively for deficiencies for the fiscal year commencing November 1, 1873; the County of Charleston, in which the County Commissioners shall levy three and one-half (3½) mills, one-half (½) mill of which, if so much be necessary, shall be set apart and paid by the County Treasurer in settlement of the audited claims of M. A. McLaughlin, and that

Four mills for Beaufort.

Three and a half mills for Charleston.

one-fourth ($\frac{1}{4}$) of one mill levied for County purposes shall be set apart for the payment of the salaries of Trial Justices and Constables of the city of Charleston; the County of Darlington, in which the County Commissioners of said County shall levy for general purposes four and one-half ($4\frac{1}{2}$) mills, out of which general tax the County Commissioners shall pay the claims as provided for in Joint Resolution providing for the payment of certain moneys to the late County Commissioners of Darlington County, approved March 26, 1875; the County of Horry, in which the County Commissioners shall levy an additional tax of one (1) mill, which shall be devoted to repairing the Court House and jail of said County, the overplus, if any, to be applied to the past indebtedness of said County; the County of Kershaw, in which the County Commissioners shall levy a tax of four and one-half ($4\frac{1}{2}$) mills: *Provided*, That one (1) mill shall be applied to the building and repairing of bridges, and one-half ($\frac{1}{2}$) mill shall be devoted to the payment of the indebtedness of said County for and contracted in the fiscal year ending October 31, 1874; the County of Lancaster, in which the County Commissioners shall levy five (5) mills, two (2) mills of which shall be used for the payment of past indebtedness of said County; the County of Lexington, in which the County Commissioners shall levy a tax of three and three-quarters ($3\frac{3}{4}$) mills, one (1) mill of which to be devoted to the payment of the indebtedness of said County for the fiscal year ending October 31, 1875, said levy of one mill necessitated by the loss of County funds deposited in the South Carolina Bank and Trust Company: *Provided*, That if said one mill shall be more than sufficient to pay said indebtedness, that then the County Commissioners of said County are hereby authorized and empowered to use such excess in the payment of the current expenses of said County for the fiscal year commencing November 1, 1875; the County of Newberry, in which the County Commissioners shall levy a tax of three and one-half ($3\frac{1}{2}$) mills; the County of Oconee, in which the County Commissioners shall levy a tax of four (4) mills, one (1) mill of which shall be devoted to the payment of the past indebtedness of said County; the County of Richland, in which the County Commissioners shall levy three and one-half ($3\frac{1}{2}$) mills for County purposes, and three-fourths ($\frac{3}{4}$) mills to pay salaries of Trial Justices for the city of Columbia, also jury tickets for the October, 1874, Term of Court, and Sheriff, Clerk of Court, jurors, Constables and witnesses for the July and October, 1875, Terms of Court; the County of Sumter, in which the County Commissioners shall levy a tax of five (5) mills, two (2) mills of which to be devoted to the payment of the past indebtedness of said County, and that the tax

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Four and one-fifth mills for Darlington.

One mill additional for Horry.

Four and a half mills for Kershaw.

Five mills for Lancaster.

Three and three-quarter mills for Lexington.

Three and a half mills for Newberry.

Four mills for Oconee.

Four and a quarter mills for Richland.

Five mills for Sumter.

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How County
funds to be
kept and dis-
bursed.

so levied for past indebtedness be applied to the oldest claims in the order of priority. And it is hereby made the duty of the County Treasurers to keep the funds raised by the levy made in this Section separate and apart from all other funds; and they are hereby forbidden to pay out any portion of the same except for County expenses incurred during the fiscal year for which it is levied and collected. And the County Commissioners are hereby forbidden to draw any warrants contrary to the provisions herein contained or make contracts in excess of the amount herein provided for: *Provided, however,* That it shall be lawful for the County Commissioners, as aforesaid, to make such special or additional levy or levies as may be required of them by special enactment.

One and nine-
tenths mills for
deficiencies.

SEC. 8. That a tax of one and nine-tenths ($1\frac{9}{10}$) mills upon every dollar of the value of all taxable property of this State be, and the same is hereby, levied to pay *pro rata* the following deficiencies of the fiscal year which commenced November 1, 1874, except for deficiencies in appropriation for the January and July, 1875, interest on the public debt: 1. Deficiencies in salaries of the Executive and Judicial officers of the State, and the Clerks and contingent expenses of the Executive and Judicial Departments; 2. Deficiencies in appropriation for penal, charitable and educational institutions, exclusive of common schools; 3. Deficiencies in appropriation for the July and January, 1875, interest on public debt; 4. Deficiencies in appropriations for legislative expenses; 5. Deficiencies in appropriation for expenses of general election, November, 1874; 6. Deficiency in appropriation for pay of census takers; 7. Deficiencies in appropriations for paintings of Lincoln and Sumner, and repairs of University Library.

How the
State Treas-
urer shall
keep and dis-
burse public
funds.

SEC. 9. That all the proceeds of the taxes levied for or on account of the State as specified in the first six and the eighth Sections of this Act shall be deposited by the State Treasurer in such banks of deposit as shall be selected as the depositories of the public or State funds to the credit of the specific appropriations therein named; and it shall be the duty of such banks to keep each appropriation exclusively separate, subject to the checks of the State Treasurer, which checks shall bear upon their face the appropriation upon which they are drawn. And the State Treasurer shall not draw any moneys from either of the said banks unless by checks subscribed by him as Treasurer and countersigned by the Governor; and such checks shall bear upon their face the specific appropriation upon which they are drawn. And the State Treasurer shall publish in one or more of the newspapers published in the city of Columbia a monthly statement of all the moneys received by the banks of deposit, to what appropriation they have been credited, as

Monthly
statement.

well as the amount paid out, and to whom, and on account of what appropriation paid, with a sworn certificate from the Presidents of the several banks of deposit as to the balance of the several appropriations on deposit in the said banks.

A. D. 1875.

SEC. 10. That the County Auditors and County Treasurers of the several Counties of this State are hereby required, under the supervision of the Comptroller General, to make the collection of the taxes levied under and pursuant to the provisions of this Act in the manner provided by law, and they are hereby forbidden to collect any other tax whatever for the aforesaid fiscal year unless herein or otherwise expressly authorized by law so to do: *Provided, however,* That nothing herein contained shall be construed to prevent the collection of special taxes for County purposes, district school taxes, poll tax, railroad taxes and taxes levied for the relief of widows and orphans of persons killed because of their political opinions. Any State or County officer who shall fail to comply with, or evade, or attempt to evade, the provisions of this Act, or shall, directly or indirectly, temporarily or permanently, divert or embezzle the proceeds of the taxes levied or collected for any specific purpose in accordance with the said provisions, shall be deemed guilty of a felony, and, upon conviction thereof, shall be punished by a fine of not less than one thousand dollars, nor more than five thousand dollars, and be imprisoned in the Penitentiary for a period of not less than one year nor more than five years.

Taxes collectable under supervision of Comptroller General.

To collect only such taxes as are expressly authorized.

Penalties for violation of this Act.

Taxes—in what funds payable.

Regulating tender of bills of Bank of the State.

SEC. 11. That all taxes assessed and payable under this Act shall be paid in the following kinds of funds: Gold and silver coin, United States currency, National Bank notes, coupons due of bonds issued under Act to reduce the volume of the public debt and provide for the payment of the same, approved December 22d, 1873, and interest orders for interest due on stocks issued under said Act; and if the holders of the bills of the Bank of the State shall present any of the said bills in payment of taxes due the State, the Treasurer of the County where such bills are presented shall place the said bills in an envelope or package, and seal the same with his official seal, across which shall be written the name of the said County Treasurer, as well as the County in which the said bills were presented, the name of the party so presenting, with the amount and denomination of the same, and immediately return them to the person so presenting. This shall be the only evidence of the presentation of the said bills in any suit that may arise from the same, and this evidence shall not be admissible if the seals upon the said envelopes or packages are broken, except they shall be broken in open Court.

A. D. 1875.

No. 10.

AN ACT TO LIMIT THE CHARGE FOR ADVERTISING CERTAIN
NOTICES.Charges for
first and sub-
sequent inser-
tions.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the charge for advertising the notices of Sheriffs, Judges of Probate or other County officers, or of officers of Court, or of executors, administrators or other persons acting in a fiduciary capacity, in any newspaper, as now required by law, shall not exceed one dollar for every hundred words for the first insertion, and fifty cents for each insertion afterwards.

Approved December 22, 1875.

No. 11.

AN ACT TO INCORPORATE THE CHESTER AND UNION RAILROAD
COMPANY.

Corporators.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That A. P. Wylie, S. J. Couch, J. J. McLure, D. I. Walker, T. J. Mackey, A. H. Davega, George W. Melton, G. J. Patterson, John W. Wilks, Richard Woods, C. C. McCoy, F. B. Worthy, John L. Young, John Rodgers, Gilliam Jeter, J. P. Thomas, Robert Fair, W. A. Nicholson, Lewis Mingo, J. S. Mobley, and their associates and successors, be, and they are hereby, constituted a body politic and corporate, by the name and style of the Chester and Union Railroad Company.

Route.

Corporate
powers.

SEC. 2. That the company shall have power and authority to build and construct a railroad from a point at or near the town of Chester, in South Carolina, to the town of Unionville, in South Carolina, by the most direct and practicable route, as said company may determine; to acquire, by purchase or otherwise, and to hold, own, possess and sell, or otherwise transfer, real and personal estate. It shall also have all and every other power, authority, privilege and right, common or necessary to similar corporations, not inconsistent with the laws of this State or the provisions of this Act.

Directors.

SEC. 3. That the said corporators shall be *ex officio* Directors of said company, with the usual powers and privileges, including the power to fill vacancies in their body, should any occur, until said company is fully organized.

Capital stock.

SEC. 4. That, for the purpose of creating the capital stock of said company, which shall not exceed two millions of dollars, the said

corporators, or a majority of them, are hereby authorized and empowered, as soon after the passage of this Act as may be deemed advisable, to appoint Commissioners to open books of subscriptions at such times and places, and under such rules and regulations as may be prescribed; the capital stock of said company to be divided into shares of fifty dollars each, and the subscription thereto to be received, payable in money, land, labor or material necessary in the construction or equipment of said railroad, bonds, stocks or other valuable credits, in such manner and upon such terms as may be agreed upon between the said company and such subscribers.

A. D. 1875.

Commissioners to take subscriptions.

Shares—how payable.

SEC. 5. That the said company shall have full power and authority to connect with or cross all other railroads on its proposed line, and also to unite or consolidate with other railroads, either in or out of this State, in such manner and upon such terms as may be agreed upon between the companies so consolidating: *Provided*, The same be not inconsistent with the laws of this State.

May unite with other railroads.

SEC. 6. That the said company shall have authority to organize and elect its officers and Directors as soon as the sum of forty thousand dollars shall have been subscribed, in manner and form, and for the same period of time, as are set forth in Sections 4, 18, 19 and 20 of an Act entitled "An Act to incorporate the Edgefield Branch Railroad Company," approved March 14, 1874.

Election of officers.

SEC. 7. That the said railroad company shall be subject to the provisions of an Act of the General Assembly of South Carolina, ratified September 22, 1868, entitled "An Act to declare the manner by which the lands, or the right of way over the lands of persons or corporations, may be taken for the construction and uses of railways and other works of internal improvement:" *Provided, however*, That nothing herein contained shall be so construed as to exempt the company from the payment of taxes.

Provisions of certain Act to apply to.

SEC. 8. That the said railroad shall be commenced within three years and completed within seven years from the passage of this Act.

Time of commencement and completion.

SEC. 9. That this Act shall be held and deemed a public Act, and shall vest and continue in said company and their successors for and during the term of ninety-nine years, to be computed from the time of the corporate existence of the company.

Approved December 22, 1875.

A. D. 1875.

No. 12.

AN ACT TO AMEND SECTION 3, CHAPTER XXIV, TITLE VI,
PART I, OF THE REVISED STATUTES, RELATING TO THE BONDS
OF PROBATE JUDGES.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 3, Chapter XXIV, Title VI, Part I, of the Revised Statutes be amended by adding after the word "dollars," in the seventh line, the words "Judge of Probate for Spartanburg County, in the sum of twenty thousand dollars."

Approved December 22, 1875.

No. 13. AN ACT TO PROVIDE FOR THE PAYMENT OF CERTAIN INDEBTED-
NESS OF THE STATE.

Levies for
payment of
claims passed.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an annual tax of seven-thirtieths ($\frac{7}{30}$) of one mill upon every dollar of the value of the taxable property in this State be, and the same is hereby, levied, to be collected for and during the fiscal year commencing November 1, 1875; and that an annual tax of seven-thirtieths ($\frac{7}{30}$) of one mill upon every dollar of the value of the taxable property in this State be, and the same is hereby, levied, to be collected for and during the fiscal year commencing November 1, 1876; and that an annual tax of seven-thirtieths ($\frac{7}{30}$) of one mill upon every dollar of the value of the taxable property in this State be, and the same is hereby, levied, to be collected for and during the fiscal year commencing November 1, 1877, for the payment of claims passed at the sessions of 1873-74 and 1874-75 of the General Assembly; and in the event that the proceeds of the taxes levied by this Section shall not be sufficient for the payment of the whole of such claims, then the State Treasurer is hereby authorized and required to pay the same *pro rata*.

To be paid
pro rata.

Levies for
payment of un-
paid printing
appropriations

SEC. 2. That an annual tax of one-fourth of one mill upon every dollar of the value of the taxable property in this State be, and the same is hereby, levied, to be collected for and during the fiscal year commencing November 1, 1875; and that an annual tax of one-fourth of one mill upon every dollar of the value of the taxable property in this State be, and the same is hereby, levied, to be collected for and during the fiscal year commencing November 1, 1876; and that an annual tax of one-fourth of one mill upon

every dollar of the value of the taxable property in this State be, and the same is hereby, levied, to be collected for and during the fiscal year commencing November 1, 1877, for the payment of unpaid appropriations for current and permanent printing for the years 1873 and 1874, due the Republican Printing Company: *Provided, however*, That the proceeds of the taxes levied by this Section shall not be paid until the work for which it is due shall have been delivered by the said Republican Printing Company to the officers authorized to receive the same.

A. D. 1875.

Work to be delivered before payment

SEC. 3. That an annual tax of one-third of one mill upon every dollar of the value of the taxable property in this State be, and the same is hereby, levied, to be collected for and during the fiscal year commencing November 1, 1875; and that an annual tax of one-third of one mill upon every dollar of the value of the taxable property in this State be, and the same is hereby, levied, to be collected for and during the fiscal year commencing November 1, 1876; and that an annual tax of one-third of one mill upon every dollar of the value of the taxable property in this State be, and the same is hereby, levied, to be collected for and during the fiscal year commencing November 1, 1877, for the payment of unpaid appropriations for the fiscal year ending October 31, 1874; that is to say, for the payment of the claim of Abel Robbins, pensioner, for four hundred and eighty dollars; and for the payment of the balances due for salaries, amounting to ten thousand four hundred and forty-three $\frac{7}{10}$ dollars; and for the payment of the claims of M. H. Berry, for nine thousand four hundred and six dollars; Aiken Tribune, for two thousand and eleven $\frac{5}{10}$ dollars; George Symmers, for nine thousand seven hundred and fifty dollars; Beaufort Southern Standard, for two thousand four hundred and ninety-eight dollars; A. Palmer, for four thousand seven hundred and fifty dollars; for repairs to State House fence and grounds, one thousand and sixty-four $\frac{9}{10}$ dollars; P. F. Frazee, for fourteen thousand one hundred and sixty-five $\frac{3}{10}$ dollars; Howie & Allen, for five thousand six hundred and thirteen $\frac{5}{10}$ dollars; Charleston Chronicle, for four thousand eight hundred and twenty-five dollars; W. E. Rose, for five thousand seven hundred and thirteen $\frac{8}{10}$ dollars; Citizens' Savings Bank of South Carolina and Central National Bank of Columbia, South Carolina, for fifty-seven thousand six hundred and twenty-five $\frac{8}{10}$ dollars; J. Evans Britton, for five thousand six hundred and forty-seven dollars; balance due on unpaid appropriations since 1870, to the Catawba Indians, twenty-one hundred and forty-five dollars; and in the event that the proceeds of the taxes levied by this Section shall not be sufficient for the payment of the whole of such balances, then the State Treasurer is hereby authorized and required to pay the same *pro rata*.

Levies for unpaid appropriations.

Salaries.

M. H. Berry et al.

Catawba Indians.

A. D. 1875.

Past indebtedness—public institutions.

SEC. 4. That an annual tax of two-fifteenths of one mill upon every dollar of the value of the taxable property in this State be, and the same is hereby, levied, to be collected for and during the fiscal year commencing November 1, 1875; and that an annual tax of two-fifteenths of one mill upon every dollar of the value of the taxable property in this State be, and the same is hereby, levied, to be collected for and during the fiscal year commencing November 1, 1876; and that an annual tax of two-fifteenths of one mill upon every dollar of the value of the taxable property in this State be, and the same is hereby, levied, to be collected for and during the fiscal year commencing November 1, 1877, for the payment of the past indebtedness of the Lunatic Asylum, the State Penitentiary, and the Institution for the Education of the Deaf, Dumb and Blind; and in the event that the proceeds of the taxes levied by this Section shall not be sufficient for the payment of the whole of such past indebtedness, then the State Treasurer is hereby authorized and required to pay the same *pro rata*.

Unpaid appropriations—State Orphan Asylum.

SEC. 5. That an annual tax of one-twentieth of one mill upon every dollar of the value of the taxable property in this State be, and the same is hereby, levied, to be collected for and during the fiscal year commencing November 1, 1875; and that an annual tax of one-twentieth of one mill upon every dollar of the value of the taxable property in this State be, and the same is hereby, levied, to be collected for and during the fiscal year commencing November 1, 1876; and that an annual tax of one-twentieth of one mill upon every dollar of the value of the taxable property in this State be, and the same is hereby, levied, to be collected for and during the fiscal year commencing November 1, 1877, for the payment of unpaid appropriations due the State Orphan Asylum.

Comptroller General to issue warrants.

SEC. 6. That the Comptroller General is hereby authorized and required, on the passage of this Act, to issue three Comptroller General's warrants to every person entitled to any part of the proceeds of the taxes levied by this Act who shall apply for the same, numbered 1, 2 and 3, respectively, each bearing interest from and after the date of the issue, and each being for one-third of the amount to which the person is entitled: No. 1. payable out of the taxes to be levied and collected for and during the fiscal year commencing November 1, 1875; No. 2 payable out of the taxes to be levied and collected for and during the fiscal year commencing November 1, 1876; and No. 3 payable out of the taxes to be levied and collected for and during the fiscal year commencing November 1, 1877: *Provided, however,* That the Comptroller General, before issuing said warrants, shall audit the claims embraced in this Act, and disallow, in whole or in part, any such claim which

To audit all claims.

he shall find to be illegal, but in disallowing such claim, in whole or in part, he shall give such claimant the reasons, in writing, upon which such disallowance is based.

A. D. 1875.

SEC. 7. That the said Comptroller General's warrants shall bear upon their face the declaration that their payment is secured by the levy of annual tax to be made on the taxable property of the State for the fiscal years mentioned in the preceding Sections, which declaration, so authorized to be expressed therein, shall be deemed and taken to be a contract between the State and the holders of such Comptroller General's warrants respectively.

Warrants payment secured by annual tax.

SEC. 8. That the County Auditors of the several Counties in this State are hereby authorized and required to include the taxes levied by this Act in the several annual levies, and the County Treasurers of the several Counties in this State are hereby authorized and required to collect the said taxes at the same time and in the same manner as may be provided for the collection of taxes for other State purposes for and during the fiscal years aforesaid.

Levies to be collected in same manner as other State taxes.

SEC. 9. That the proceeds of the taxes levied by this Act shall be kept separate and apart from each other and from all other public funds, and shall be applied to the purposes for which they are levied, and none other.

Proceeds to be kept apart from other public funds.

SEC. 10. That any State or County officer who shall fail to comply with, or shall evade or attempt to evade, the provisions of this Act, or shall, directly or indirectly, temporarily or permanently, divert or embezzle the proceeds of the taxes levied by this Act, shall be deemed guilty of a felony, and, upon conviction thereof, shall be punished by a fine of not less than one thousand dollars, nor more than five thousand dollars, and be imprisoned in the Penitentiary for not less than one year, nor more than five years.

Evasion of the provisions of Act a felony.

Punishment.

SEC. 11. That all taxes assessed and payable under this Act shall be paid in the following kinds of funds: Gold and silver coin, United States currency, National Bank notes, coupons due on bonds, and interest orders on stock issued under the Act to reduce the volume of the public debt and provide for the payment of the same, approved December 22, 1873; and if any of the bills of the Bank of the State shall be presented by the holders thereof in payment of any taxes assessed and payable under this Act, the County Treasurer of the County in which such bills are so presented shall place the said bills in an envelope or package, and seal the said envelope or package with his official seal, across which he shall write his name and office, the name of the party presenting the said bills, the amount and denomination of the same, and the date of their presentation; and this shall be the only evidence of their presentation in any suit which may arise therefrom; and this

Kinds of funds receivable.

Tenders of bills of the Bank of the State.

A. D. 1875.

evidence shall not be admissible in any such suit if the said seal on the said envelope or package shall be broken otherwise than in open Court.

Approved December 24, 1875.

No. 14. AN ACT TO PROVIDE FOR THE SETTLEMENT AND PAYMENT OF CERTAIN CLAIMS AGAINST THE STATE.

Preamble.

Whereas there are outstanding certain legislative pay certificates, Treasurer's bills payable, and claims passed by the General Assembly, amounting in all to about five hundred thousand dollars, which ought to be paid; and whereas there are grave doubts whether the Act entitled "An Act to provide for the settlement and redemption of certain claims against the State," passed at the last session of the General Assembly, became a law:

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Governor be, and he is hereby, authorized and required, within ten days from the passage of this Act, to appoint three Commissioners who shall constitute a Commission on Claims.

Claims Commission.

Duties of Commission.

SEC. 2. That the said Commission are hereby authorized and required to audit, as adjusted debts of the State, all pay certificates issued by both or either of the two Houses of the General Assembly prior to the last preceding session which have been duly registered with the Clerks of the two houses, in accordance with the terms of a concurrent resolution of the General Assembly, passed December 21, 1874, or which shall be registered with the said Clerks within thirty days from the passage of this Act, and which shall be certified by the said Clerks to have been regularly and properly issued; also, State Treasurer's due bills and all bills payable which have been issued by the State Treasurer for money borrowed pursuant to the provisions of a Joint Resolution of the General Assembly to provide for the payment of certificates issued by the General Assembly, approved March 12, 1872; and, also, all claims which, by any action prior to the present session, have been definitely fixed in amount and ordered to be paid: *Provided, however,* That nothing contained in this Section shall be construed to deny to the said Commission the authority to disallow, in whole or in part, any claim evidenced by such pay certificates, bills payable, or such action of the General Assembly, if the said Commission shall adjudge the same to be fraudulent, or shall, for any other cause, adjudge the same is not a just, valid and proper demand against the State.

Class of claims to be audited.

Commission may disallow fraudulent claims.

SEC. 3. That the Attorney General is hereby authorized and required to attend the sessions of the said Commission and represent therein the interests of the State, and shall receive such compensation therefor as shall be received by the members of the said Commission respectively.

A. D. 1875.

Attorney General to attend sessions of the Commission.

SEC. 4. That all persons desirous of securing the benefits of this Act shall surrender to the said Commission, within ninety days after the passage of this Act, the pay certificates, bills payable and other evidences of indebtedness in their possession which may pertain to their claims; but unless said claims are filed within the time specified they shall be forever barred, and from henceforth shall be null and void as against the State; and the said Commission is hereby authorized and required, upon the auditing and allowance of said claims, to cancel all the pay certificates, bills payable and other evidences of indebtedness which may pertain to the claims so audited and allowed, and in lieu thereof shall issue to each claimant, or his assigns, a certificate of State indebtedness, which certificate shall be signed by the members of the said Commission, or a majority of them, and shall set forth the amount ascertained to be due to such claimant, and the terms and conditions on which such certificate may be lawfully redeemed under the provisions of this Act; and the said Commission shall, in all cases, forthwith deposit in the office of the Comptroller General all such legislative pay certificates, bills payable and other evidences of indebtedness so taken up and cancelled, with an accompanying memorandum, signed by them, or a majority of them, showing their action in reference thereto, and the Comptroller General shall file the same, suitably marked and endorsed, in his office: *Provided, however,* That no claims shall be audited or allowed unless the holders thereof first agree to accept the terms of settlement provided for in this Act: *And provided, further,* That all evidences pertaining to any claims which may be disallowed shall be returned to the claimants with reason of refusal endorsed on said claim.

Claims to be surrendered to the Commission.

Commission to cancel all allowed claims.

To issue certificates of indebtedness in lieu.

To file cancelled claims with Comptroller General.

Holders to first accept terms of settlement.

SEC. 5. That the said Commission shall make all needful rules and regulations for their government, and for the proper presentation and proof of claims. They shall also keep a registry of all claims presented to and acted upon by them, whether allowed or disallowed, in whole or in part. They shall also keep a registry of all certificates of State indebtedness issued by them to claimants. They shall also keep a record of all their proceedings, and from time to time make to the Governor such reports as he may require, and when they shall have completed their labors they shall make a final report of all their actions as a Commission to the Comptroller

To keep registry of claims.

To keep record of proceedings.

To report to Governor and Comptroller General.

A. D. 1875.

General, who shall embody said report in his annual report to the succeeding General Assembly. A majority of the members of the said Commission shall constitute a quorum for the transaction of business.

Comptroller General to issue warrants in lieu of certificates.

SEC. 6. That any person who may hold a certificate of State indebtedness issued by said Commission pursuant to the provisions of Section 4 of this Act shall, upon presenting and surrendering the same at the office of the Comptroller General, receive for the same four Comptroller General's warrants, numbered 1, 2, 3 and 4, respectively, each of them for one-eighth of the amount of the certificate of State indebtedness so presented and surrendered: No. 1 payable out of the taxes to be levied and collected for the fiscal year commencing November 1, 1875; No. 2 payable out of the taxes to be levied and collected for the fiscal year commencing November 1, 1876; No. 3 payable out of the taxes to be levied and collected for the fiscal year commencing November 1, 1877; and No. 4 payable out of the taxes to be levied and collected for the fiscal year commencing November 1, 1878: *Provided, however,* That the amount of legislative pay certificates, bills payable and other evidences of indebtedness allowed under the provisions of Section 4 of this Act shall not exceed the sum of five hundred thousand dollars, nor the amount of Comptroller General's warrants issued for the same the sum of two hundred and fifty thousand dollars: *And provided, further,* That such warrants shall be issued in the order in which the said certificates of State indebtedness shall be presented and surrendered.

Amount of claims allowed, limited to \$500,000.

In what order warrants to be issued.

Warrants—what to bear on their face.

SEC. 7. That the said Comptroller General's warrants shall bear upon their face the declaration that their payment is secured by the levy of an annual tax of one-half of one mill upon the dollar, to be made on the taxable property of the State for the fiscal years mentioned in the preceding Section, which declaration, so authorized to be expressed thereon, shall be deemed and taken to be a contract between the State and the holders of such Comptroller General's warrants respectively.

Comptroller General to keep registry.

SEC. 8. That the Comptroller General shall keep an exact registry of all warrants issued by them pursuant to the provisions of Section 6 of this Act.

Annual tax of one-half mill.

SEC. 9. That an annual tax of one-half of one mill on the dollar upon the taxable property of the State be, and the same is hereby, levied, to be collected for and during the fiscal years mentioned in Section 6 of this Act, for the purpose of paying and retiring the said Comptroller General's warrants as they may become due and payable. And it is hereby made the duty of the County Auditors of the several Counties in the State to include the tax herein pro-

vided for in the several annual levies, and of the County Treasurers of the several Counties to collect the same, at the same time and in the same manner as may be provided for the collection of taxes for other State purposes for and during the fiscal years aforesaid; and the proceeds of the taxes so to be levied and collected, or so much thereof as may be necessary, be, and the same are hereby, appropriated to the payment of the said Comptroller General's warrants as they may become due and payable respectively.

A. D. 1875.

SEC. 10. That the proceeds of the taxes to be levied and collected pursuant to the provisions of this Act shall be kept by the State Treasurer separate and apart from each other, and from all other public funds, and shall be applied to the purposes for which they are levied and none other.

Proceeds of tax to be kept separate.

SEC. 11. That any State or County officer who shall fail to comply with, or shall evade or attempt to evade, the provisions of this Act, or shall, directly or indirectly, temporarily or permanently, divert or embezzle the proceeds of the taxes levied by this Act, shall be deemed guilty of a felony, and, upon conviction thereof, shall be punished by a fine of not less than one thousand dollars nor more than five thousand dollars, and be imprisoned in the Penitentiary for not less than one year nor more than five years.

Penalties for violating this Act.

SEC. 12. That for the purpose of defraying the expenses to be incurred in carrying out the provisions of this Act, the sum of four thousand dollars, if so much be necessary, be, and the same is hereby, appropriated, to be drawn on the warrant of the Governor, countersigned by the Comptroller General, and payable by the State Treasurer out of any moneys in the Treasury not otherwise appropriated.

Appropriation to pay expenses of Commission.

SEC. 13. That in case any vacancy shall at any time occur in the said Commission by death, resignation or otherwise, the Governor is hereby authorized and required to appoint another Commissioner to fill such vacancy within ten days after being notified thereof.

Vacancies—how to be filled.

SEC. 14. That all Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved December 24, 1875.

AN ACT TO AMEND SECTION 1 OF CHAPTER L OF THE GENERAL STATUTES, RELATING TO FENCES.

No. 15.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 1 of Chapter L of

A. D. 1875.
 "Freeholder"
 struck out.

the General Statutes of the State of South Carolina be, and the same is hereby, amended by striking out the word "freeholder," occurring on the twelfth line, and inserting in lieu thereof the words "tax-payers or legal voters."

Approved December 24, 1875.

No. 16. AN ACT TO AUTHORIZE AND REQUIRE THE COUNTY COMMISSIONERS OF MARION COUNTY TO LEVY A SPECIAL TAX, AND FOR OTHER PURPOSES.

Levy for pay-
 ment of past
 indebtedness.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Marion County are hereby authorized and required to levy a special tax, not to exceed two mills on the dollar of the taxable property of the said County, for the fiscal year 1875, and annually thereafter, in addition to all other taxes required by law, for the payment of the past indebtedness of the County, until the same shall be fully paid.

Surplus to
 go to payment
 of past due
 claims.

SEC. 2. That all moneys remaining in the County treasury for the use of the County, and not otherwise appropriated at the passage of this Act, or at the close of any fiscal year thereafter, shall also be applied to the payment of claims past due until the County shall be free from debt.

Moneys ap-
 plicable to all
 valid claims.

SEC. 3. That moneys payable on past due claims, as herein provided, shall be applicable to all valid and approved claims against the County which shall be past due and unpaid at the date of the passage of this Act, and at the close of each fiscal year thereafter, *pro rata*, until the indebtedness of the County shall be fully paid.

Approved December 24, 1875.

No. 17. AN ACT TO PROVIDE FOR THE EXTENSION OF THE TIME FOR THE PAYMENT AND COLLECTION OF TAXES FOR THE FISCAL YEAR COMMENCING NOVEMBER 1, 1875, AND FOR OTHER PURPOSES.

Preamble.

Whereas delay in the levy of certain taxes to meet appropriations for the fiscal year commencing November 1, 1875, has continued beyond the time prescribed by law for the commencement of the collection of the same:

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That if any of the duties required to be performed in an Act entitled "An Act providing for the assessment and taxation of property," or any Act of amendment thereto, on or before a certain day, by any officer or person therein named, cannot, for want of proper time, be so performed in the payment or collection of taxes to be levied to meet appropriations for the fiscal year commencing November 1, 1875, the Comptroller General, with the approval of the Governor, shall extend the time as long as may be necessary therefor. And it shall be lawful for the said Comptroller General, with the like approval, to extend the time wherein the penalty or penalties shall attach, and also the time when the advertisement and sale of such delinquent lands may be made, so as the same may conform to, as near as may be, the period fixed by law; and all advertisements and sales made in accordance with the instructions of the said Comptroller General, and all acts done or required to be done by any officer charged with any duties required in the collection of taxes or connected therewith by virtue of such authority, shall be in all respects as legal, and shall have the same force and effect, as if the said acts had been done and the duties performed within the period now fixed and specified by law.

A. D. 1876.

Comptroller General, with Governor's approval, to extend time as long as necessary.

Acts done under their authority legalized.

Approved February 7, 1876.

AN ACT TO PROVIDE FOR AN ELECTION OF A TOWN WEAIGHER FOR THE TOWN OF EASLEY, IN PICKENS COUNTY. No. 18.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Intendant and Wardens of the town of Easley be, and they are hereby, empowered to establish an office of Town Weigher, and to elect a suitable person to perform the duties of such office, under such rules, regulations and restrictions as the said Intendant and Wardens may, by ordinance, direct.

Office of Town Weigher established.

Approved February 7, 1876.

A. D. 1876.

No. 19.

AN ACT TO AUTHORIZE AND EMPOWER M. A. CARLISLE, M. A. RENWICK, R. C. CARLISLE AND S. M. RICE TO ERECT AND MAINTAIN GATES ACROSS A CERTAIN ROAD IN NEWBERRY COUNTY.

M. A. Carlisle,
et al., to erect
gates.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That M. A. Carlisle, M. A. Renwick, R. C. Carlisle and S. M. Rice be, and are hereby, authorized and empowered to erect on their premises gates across the public highway leading to Columbia, known as the Buncombe Road, between Cromer's and M. A. Carlisle's place: *Provided*, That the said gates shall always be kept in good repair, and be constructed in such a manner as to afford the least trouble in passing the same.

Interfering
with gates a
misdemeanor.

SEC. 2. That in case any person or persons shall interfere with, injure, destroy or willfully leave open any gates erected in pursuance of Section 1 of this Act, such person shall be liable to be prosecuted for the same as for a misdemeanor.

SEC. 3. That this Act be in force from and after its passage.

Approved February 7, 1876.

No. 20. AN ACT TO AUTHORIZE AND EMPOWER F. A. CLINTON TO ERECT AND MAINTAIN GATES ACROSS A PUBLIC ROAD IN LANCASTER COUNTY.

F. A. Clinton
to erect gates.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That F. A. Clinton be, and he is hereby, authorized and empowered to erect and maintain gates across the public road leading from Lancaster Court House to Liberty Hill: *Provided*, That said gates shall always be kept in good repair and constructed in such manner as will afford the least trouble in passing the same.

Approved February 7, 1876.

OF SOUTH CAROLINA.

29

AN ACT TO ASCERTAIN THE INDEBTEDNESS OF THE RIVER, IN NEWBERRY AND REGULATE THE PAYMENT THEREIN

A. D. 1876.

No. 25.

SECTION 1. *Be it enacted*, by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all persons holding claims against the County of Newberry which became due and payable prior to the first day of November, A. D. 1875, be allowed to register the same in the manner heretofore prescribed for the registration of the past due indebtedness of said County,

SEC. 2. That the Clerk of the Board of County Commissioners for Newberry County give immediate notice, by public advertisement, to persons holding such unregistered claims to register the same within thirty days from the date of the publication of such notice, as heretofore prescribed for the registration of such claims.

SEC. 3. That all valid claims against the County of Newberry which became due and payable at any time before the first day of November, 1875, which have been registered, or may be registered as herein specified, be paid *pro rata* out of any funds now provided, or which may hereafter be provided, for the payment of the indebtedness of the said County of Newberry.

Approved February 7, 1876.

Ferry across
road River
chartered.

Notice of registra-
tion.

Registered
claims payable
pro rata.

AN ACT TO CHARTER POTATO FERRY, ACROSS BLACK RIVER. No. 22.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the ferry known as Potato Ferry, across Black River, be, and the same is hereby, chartered, and its chartered rights vested in Richard H. Kellahan, his heirs and assigns. The rates of toll shall conform to the provisions of Chapter XLVII of the General Statutes of South Carolina.

SEC. 2. This Act shall be deemed a public Act, and remain in force until repealed.

Approved February 7, 1876.

Potato Ferry
chartered.

In whom
vested.

A. D. 1876.
No. 19.

AN ACT

RENEW

MAINT

COSEN-

CU-

Registration

claims.

COUNTY OF
A. D. 1876.
No. 21.

27

M. A.
et al.
gate

Appointee
must be grad-
uate of a medi-
cal school.

AT LARGE

XXXIII OF THE GENERAL STAT-
RELATIVE TO QUARANTINE.

Senate and House of Represen-
a, now met and sitting in Gen-
y of the same, That Chapter
South Carolina be, and the
rst. Strike out of subdivision
after the word "November,"
I remain at quarantine for
nd shall perform such fur-
ers shall prescribe." Second.

vision 2, Section 4, line 3, of said Chapter, the
eg, to wit: "Or from any place in America in the ordinary
passage from which they pass south of Hilton Head." Third.
Insert between the words "respectively" and "who," line 2 of Sec-
tion 32 of said Chapter, the following, to wit: "Who shall in all
cases be graduates of a regular medical school, and."

SEC. 2. That all other Sections of Chapter XXXIII of the Gen-
eral Statutes of South Carolina which may conflict with the amend-
ments herein made be, and they are hereby, amended so as to con-
form to the provisions of this Act.

SEC. 3. This Act shall take effect on and after its passage.

Approved February 7, 1876.

No. 24. AN ACT TO AMEND SECTION 19 OF CHAPTER CXXI OF THE
GENERAL STATUTES OF SOUTH CAROLINA, RELATIVE TO THE
RIGHT OF SURETY WHO PAYS DEBT OF PRINCIPAL.

Payment by
surety of prin-
cipal's debt
not a satisfac-
tion of same.

Be it enacted by the Senate and House of Representatives of the
State of South Carolina, now met and sitting in General Assembly,
and by the authority of the same, That Section 19 of Chapter
CXXI of the General Statutes of South Carolina, relative to the
right of surety who pays debt of principal, be, and the same is
hereby, amended by adding the following to the Section, viz.:
"That in case any surety in such judgment or decree shall pay the
same, such payment shall not operate as a satisfaction of such judg-
ment or decree, as against the co-surety or sureties thereto; but
such surety shall have the right to enforce the execution on such
judgment or decree against his co-surety or sureties for contribu-
tion."

Approved February 7, 1876.

AN ACT TO RECHARTER A FERRY ACROSS BROAD RIVER, IN FAIRFIELD AND UNION COUNTIES, AND TO VEST THE SAME IN W. J. SHELTON; SR., HIS HEIRS AND ASSIGNS.

A. D. 1876.

No. 25.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That a public ferry be, and the same is hereby, rechartered to reach across Broad River, in Fairfield and Union Counties, at Shelton's Depot, No. 2, Spartanburg and Union Railroad, and that the said ferry be vested in William J. Shelton, Sr., his heirs and assigns, for the term of thirty years; and that the following rates of toll be charged and collected, and no more: For every four-horse carriage or vehicle, seventy-five cents; for every two-horse carriage or vehicle, fifty cents; for every one-horse carriage or vehicle, twenty-five cents; for every single horse and rider, ten cents; for every foot passenger, five cents; for every head of cattle, goats and hogs, five cents: *Provided*, That children going to and coming from school, and voters going to and returning from elections, militia going to and returning from muster, and clergymen, be passed free from toll.

Ferry across
Broad River
rechartered.

In whom
vested.

Rates of toll.

Approved February 7, 1876.

AN ACT TO AUTHORIZE JOHN S. HAIRSTEN TO ADOPT WATTS BOSHELL, GIVE HIM THE NAME OF WATTS BOSHELL HAIRSTEN, AND MAKE HIM HIS LAWFUL HEIR.

No. 26.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That John S. Hairsten, of Laurens County, be, and he is hereby, authorized and empowered to adopt Watts Boshell, an infant, to give him the name of Watts Boshell Hairsten, and to make him his lawful heir.

Watts Boshell,
name changed
to Hairsten.

Approved February 7, 1876.

AN ACT TO AMEND SECTION 7 OF AN ACT ENTITLED "AN ACT TO AMEND AN ACT ENTITLED 'AN ACT TO REDUCE ALL ACTS AND PARTS OF ACTS PROVIDING FOR THE ASSESSMENT AND TAXATION OF PROPERTY INTO ONE ACT, AND TO AMEND THE SAME.'"

No. 27.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly,

A. D. 1876.

Amendment.

and by the authority of the same, That Section 7. of an Act entitled "An Act to amend an Act entitled 'An Act to reduce all Acts and parts of Acts providing for the assessment and taxation of property into one Act, and to amend the same,'" be, and the same is hereby, amended by striking out the following words at the end of the Section, to wit: Strike out all after the word "thereon," on the eleventh line thereof.

Approved February 7, 1876.

No. 28. AN ACT TO REPEAL AN ACT ENTITLED "AN ACT TO REGULATE THE APPOINTMENT AND SALARY OF TRIAL JUSTICES IN AND FOR THE COUNTY OF CHESTER."

Trial Just-
ices — Chester
County.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to regulate the appointment and salary of Trial Justices in and for the County of Chester" be, and the same is hereby, repealed.

SEC. 2. That this Act shall take effect and be of force on and after its passage.

Approved February 9, 1876.

No. 29. AN ACT TO INCORPORATE THE COLUMBIA CITY RAILWAY COMPANY.

Corporators.

Corporate
name.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That W. Richard Cathcart, William B. Stanley, John P. Southern, W. K. Bachman, Willie Jones, W. B. Nash, Owen Daly, W. C. Swaffield, John Agnew, A. B. DeSaussure, C. J. Carroll, Winthrop Williams, George Symmers, Charles F. Jackson, Frank M. Ehrlich, John C. Dial, W. B. Gulick, Robert S. Cathcart, Clinton C. Kennedy, Pressley Brown, S. W. Melton, Wm. G. Childs, H. B. Johnson, H. Noah, together with such other persons as are now or may hereafter be associated with them, be, and they are hereby, declared a body politic and corporate, under the name and style of the "Columbia City Railway Company," for the purpose of constructing a street railway in the city of Columbia, and running cars thereon for the transportation of passengers and freight.

SEC. 2. That the capital stock of the company hereby authorized shall be one hundred thousand dollars, in shares of fifty dollars each, with the privilege of increasing the said capital to two hundred thousand dollars if it should at any time be deemed necessary for the further extension of the enterprise.

A. D. 1876.
Capital stock.

SEC. 3. That the said corporation shall have power to construct single or double railway tracks of such gauge as they may elect through any portion of Gervais, Richardson, Blanding, or any other street or streets of the city of Columbia, as they may deem advisable for the accommodation of the public, or the interest of the company, and to extend the same five miles beyond the corporate limits of said city: *Provided*, That the said corporation shall so construct said railway that it shall not obstruct the streets through which it may be deemed advisable to lay their tracks; and that they shall be required, after laying said tracks, to replace the portion of the street over which it passes in good condition, and hereafter keep their roadway in like good order, in consideration of which the said corporation shall have such exclusive right of way over said railway as may be necessary for the proper conduct of their business.

Route.

Not to obstruct the streets.

To replace streets in good condition.

Granted exclusive right of way.

SEC. 4. That the officers of said corporation shall consist of a President, Secretary, Treasurer and Superintendent; but it shall be competent for one person to hold and discharge the duties of more than one of these offices at the same time, if advisable.

Officers.

SEC. 5. That the capital stock of said corporation shall be subscribed and paid for in installments of five dollars per share at such times as the Board of Directors may find it necessary to call for the same: *Provided, however*, That five dollars per share shall be paid in cash at the time of subscribing therefor; and that the personal liability of each stockholder shall not exceed the amount of his or her stock.

Payment of capital stock.

Liability of stockholders.

SEC. 6. That as soon as the number of five hundred shares shall have been subscribed, in the manner aforesaid, the corporation shall be considered as formed, and this Act of incorporation shall attach and become effectual, and the company may take measures for complete organization; and to this end the persons named herein as corporators shall appoint a time and place for a meeting of the stockholders, and shall cause them to be duly notified thereof, at which time and place the subscribers of stock may attend in person or by proxy, and if a majority of the stock (which shall constitute a quorum) shall be represented, either in person or by proxy, the meeting shall organize and proceed to elect by ballot seven Directors, to serve for one year and until a new election is made. In balloting for Directors each share of stock, represented in person or by proxy, shall be entitled to one vote.

When may complete organization.

Election of officers.

A. D. 1876.

Election of
subordinate of-
ficers.

By-laws.

SEC. 7. That the Directors so elected as aforesaid shall organize by electing one of their number President, and shall also elect a Secretary, Treasurer and Superintendent, and appoint such clerks, agents, &c., as may be necessary, and fix the salary or pay of the same. They shall also prepare by-laws for the government of the business of the company, and submit the same to the stockholders for ratification.

General pow-
ers.

SEC. 8. That the said corporation shall have perpetual succession of members, may make and have a common seal, and break and alter it at pleasure; may sue and be sued, answer and be answered unto, by their corporate name, in all Courts of law and equity in this State; and shall at all times be capable of making such rules and regulations for the government of the company as they may deem necessary for effecting the ends and purposes of this Act; and shall be able at all times to buy, sell and hold all such property as may be necessary for the purposes of said company.

May issue
bonds.

SEC. 9. That the said corporation shall have power and authority to issue bonds to an amount not exceeding twenty-five thousand dollars, the same to be redeemable at such time, not exceeding twenty years, as may be agreed upon by said company, and to bear interest at the rate of seven per cent. per annum, payable semi-annually.

When to be
commenced
and completed.

SEC. 10. That the work for the execution whereof the said company is incorporated shall be commenced within one year from the passage of this Act, and be completed within five years thereafter.

SEC. 11. That this Act shall be in force from its passage, and shall remain in force for a period of thirty years, and thence until the expiration of the next session of the General Assembly thereafter.

Approved February 9, 1876.

No. 30. AN ACT TO INCORPORATE THE WILLIAMSBURG RAILROAD COMPANY.

Routes.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That for the purpose of establishing a railroad at a point on the Northeastern Railroad, at or near Lane's Depot, Williamsburg County, thence to Manning, Clarendon County, thence to Sumter, Sumter County, when formed, with the condition herein prescribed, shall have corporate existence as a body politic for the term of thirty years.

SEC. 2. That this charter, with the rights and privileges incidental thereto, is hereby granted to and vested in George E. Pritchett, C. S. Land and Louis Jacobs, their associates and successors.

A. D. 1876.

Corporators.

SEC. 3. That for the purpose of raising the necessary capital stock of said company, it shall be lawful to open books of subscription in such towns and cities as may be deemed for the best interests of the corporation, under the direction of the corporators, to an amount not exceeding five hundred thousand dollars, in shares of one hundred dollars each, to constitute a joint capital stock for the purpose of constructing and carrying into operation the aforesaid railroad, or any part thereof. The time and place for receiving subscriptions shall be fixed by a majority of the corporators herein named, by giving due notice of the same in any newspaper or newspapers in the State; and the subscription books shall be kept open for the space of thirty days, at such places as said corporators may decide; that on each share of stock subscribed, the said subscribers shall pay two dollars to the corporators, who shall deposit same in some national bank, and when one hundred thousand dollars are subscribed, give notice of the time and place of meeting for organizing in some public newspaper.

Capital stock.

Books of subscription.

Time and place of organization.

SEC. 4. Whenever the said sum of one hundred thousand dollars shall have been subscribed, George E. Pritchett, C. S. Land, Louis Jacobs, and their associates and successors, shall be, and are hereby declared to be, incorporated into a company, and shall be known by the name of the Williamsburg Railroad Company, and shall have all the rights and privileges conferred upon the Northeastern Railroad Company, according to their original charter, ratified December 16, A. D. 1851: *Provided*, That nothing herein contained shall be so construed as to exempt the said company from the payment of taxes.

Corporate name.

Road subject to taxation.

SEC. 5. The said company shall have the right to build all necessary bridges, and construct necessary stations and turnouts, with one or more tracks to the road, with such gauge as will correspond to that of the Northeastern Railroad Company, and may co-operate with such road or roads as are now or may be hereafter chartered by the State: *Provided*, Said road shall be completed within ten years after the passage of this Act, or the charter thereof shall be deemed forfeited: *And provided, further*, That said road shall be subject to the provisions of an Act entitled "An Act to declare the manner by which the lands, or the right of way over the lands, of persons or corporations may be taken for construction and uses of railways and other works of internal improvement," ratified September 22, A. D. 1868.

May build bridges, &c.

When to be completed.

Subject to provisions of certain Act.

A. D. 1876.

No. 31.

AN ACT TO AUTHORIZE W. J. LOCKHART TO CONSTRUCT A
DAM ACROSS DEEP HOLE SWAMP CREEK, IN DARLINGTON
COUNTY.

Dam across
Deep Hole
Swamp.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That W. J. Lockhart, of Humphrey Township, Darlington County, be, and he is hereby, authorized to construct a dam across Deep Hole Swamp Creek, in said County, at such a point above Deep Hole Mill, not exceeding three miles therefrom, as he may deem most practicable for utilizing the water of said creek; said dam to be constructed of such height as will ensure twelve (12) feet of live water for the use of said Deep Hole Mill.

To make com-
pensation for
overflowed
lands.

SEC. 2. That if, in the construction of said dam, the water of Deep Hole Creek should overflow any lands or public roads, the said W. J. Lockhart shall make compensation to the owners of such lands so overflowed according to the assessed value thereof, and be required to keep the public roads so overflowed in good repair, under the supervision of the County Commissioners of Darlington County.

Approved February 9, 1876.

No. 32. AN ACT TO AMEND THE CHARTER OF THE WANDO MINING
AND MANUFACTURING COMPANY.

Preamble.

Whereas the Wando Mining and Manufacturing Company was incorporated with a capital of one hundred thousand dollars, with power from time to time to increase their capital stock to any amount not exceeding five hundred thousand dollars; and whereas, on the 22d day of May, A. D. 1871, the capital stock of said company was increased to three hundred thousand dollars, upon the assumption that the assets of the company were at that time worth the said sum of three hundred thousand dollars; and whereas, upon further investigation, it has been discovered that the said estimated value of the assets was in excess of their real value, and the capital of the said company has been still further reduced by subsequent losses, thereby rendering a reduction of the capital stock of said company absolutely necessary:

Reduction of
capital stock.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the said company be, and it is hereby, authorized to reduce its capital stock to any amount not less than one hundred thousand dollars when-

ever a majority of the stockholders present at any general meeting, or the Board of Directors, by their authority, shall determine.

A. D. 1876.

SEC. 2. That upon such reduction in the capital stock being made, the said company shall have power to call in all outstanding certificates of stock, and to issue new certificates to the amount of the reduced capital, which shall be divided among the stockholders in proportion to the shares held by them in the capital stock of the company at the time of such call.

New certificates of stock to be issued.

SEC. 3. That the said company, before reducing the shares of its capital stock, shall give at least sixty days' notice in one or more newspapers of its intention so to do; and from and after the day fixed, and so publicly notified for the said reduction, no one shall be considered or held to be a stockholder of said company until he shall have surrendered his old certificate and received a new certificate in lieu thereof: *Provided*, That no reduction of shares shall effect the rights of creditors existing when such reduction is made.

Notice of reduction to be given.

Not to prejudice rights of creditors.

SEC. 4. Nothing in this Act shall be construed so as to authorize the said company to pay to its stockholders any portion of its present assets, or in any manner to withdraw from or diminish the same, nor shall anything herein contained be construed to impair the power given to the company in the second Section of its charter to increase its capital stock in the manner therein provided.

Not to withdraw or diminish assets.

Approved February 9, 1876.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE TOWN OF SENECA CITY, IN THE COUNTY OF OCONEE."

No. 33.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 2 of an Act entitled "An Act to incorporate the town of Seneca City, in the County of Oconee," approved March 14, 1874, be amended by striking out, in the second line of said Section, the words "Six Wardens," and inserting in lieu thereof the words "four Wardens."

"Four" Wardens in lieu of "six."

Approved February 9, 1876.

- A. D. 1876. **AN ACT TO AMEND TITLE II, CHAPTER VII, PAGES 27 AND 28, GENERAL STATUTES, IN RELATION TO THE QUALIFICATION OF ELECTORS.**
 No. 34.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Title II, Chapter VII, on pages 27 and 28 of the General Statutes, be amended by inserting on line 1, Section 3, after "general" and before "election," the words "special or municipal."

Approved February 9, 1876.

- No. 35. **AN ACT TO AUTHORIZE WILLIAM THOMSON TO ERECT A GATE OVER THE PUBLIC ROAD CROSSING PACOLET RIVER, AT THOMSON'S FORD, IN SPARTANBURG COUNTY.**

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That William Thomson be, and he is hereby, authorized and empowered to erect a gate over and across the public road crossing Pacolet River, at Thomson's Ford, in Spartanburg County: *Provided*, That all persons may pass and repass through it without the payment of toll or other charge therefor.

Approved February 9, 1876.

- No. 36. **AN ACT TO ALLOW GLENN D. PEAKE, WILLIAM T. LITTLEJOHN, WILLIAM A. BEATY, PHILIP RICE AND F. G. WHITLOCK TO ERECT GATES ACROSS CERTAIN ROADS IN UNION COUNTY.**

SECTION 1. Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Glenn D. Peake, William T. Littlejohn, William A. Beaty and Philip Rice be, and they are hereby, authorized to erect gates across the road leading from Beaty's Bridge, across Tyger River, in said County, to Santuc Depot, on the Spartanburg and Union Railroad.

SEC. 2. That F. G. Whitlock be, and he is hereby, authorized to erect a gate upon the Union Court House and Worthy's Ferry Road, on the line between the lands of Mrs. Jane Hughes and the said F. G. Whitlock; also, a gate on the Mt. Tabor and Worthy's

Ferry Road, on the line between the lands of W. C. Duan, lately in possession of William E. Johnston, now deceased, and the said F. G. Whitlock; also, a gate on the Wood's Ferry and Worthy's Ferry Road, on the line between the lands of William A. Sims and of the said F. G. Whitlock.

A. D. 1876.

SEC. 3. It shall be the duty of the owners of said gates to keep the same in good repair, and upon failure to do so said gates may be removed as a nuisance.

Approved February 9, 1876.

AN ACT TO AMEND SECTION 24, CHAPTER CXXIX, OF THE
GENERAL STATUTES, RELATING TO OBSTRUCTING RIVERS OR
CREEKS.

No. 37.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 24, Chapter CXXIX, of the General Statutes of South Carolina be amended so as to read as follows: "Whoever shall cut down, throw or fall, or cause to be cut down, thrown or fallen, into any river or creek or cut in this State, any timber or tree, and shall leave the said timber or trees in such river, creek or cut for the space of eight and forty hours, shall be deemed guilty of a misdemeanor, and upon conviction thereof before a Trial Justice or other proper officer having jurisdiction in such cases, shall be fined not exceeding twenty-five dollars, or imprisoned not exceeding ten days, the fine in such cases to be disposed of to the benefit of the poor of the County where the offense was committed.

Obstruction
of rivers and
creeks a mis-
demeanor.

Fine for
same—how dis-
posed of.

Approved February 9, 1876.

AN ACT TO INCORPORATE THE TOWN OF ROWESVILLE.

No. 38.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all persons, citizens of the United States and of this State, who now are, or hereafter may be, inhabitants of the village of Rowe's Pump, shall be deemed, and are hereby declared to be, a body politic and corporate; and said town shall be called and known by the name of Rowesville, and its corporate limits shall be deemed and held to extend one-half mile in each direction from the South Carolina Railroad depot.

Corporators.

Corporate
name.

A. D. 1876.

Officers.

SEC. 2. That the said town shall be governed by an Intendant and four Wardens, who shall be elected on the third Monday in March, A. D. 1876, and on the same day every year thereafter.

Invested with
powers conferred by charter of Branchville.

SEC. 3. That the provisions of the Act of the General Assembly incorporating the town of Branchville be, and the same is hereby, declared to extend to the town of Rowesville, and be of force in said town.

Approved February 9, 1876.

NO. 39. AN ACT TO AUTHORIZE AND EMPOWER H. H. JENNINGS TO ERECT AND MAINTAIN GATES ACROSS A CERTAIN PUBLIC ROAD IN ORANGEBURG COUNTY.

H. H. Jennings to erect gates.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That H. H. Jennings, of the County of Orangeburg, be, and he is hereby, authorized and empowered to erect and maintain gates across the public road in said County leading from the New Bridge, across the North Fork of Wish River, near Branchville, to Binicker's Bridge Road: *Provided*, That said gates shall always be kept in good repair, and constructed in such manner as will afford the least trouble in passing the same.

Approved February 9, 1876.

NO. 40. AN ACT TO MAKE THE SURVIVORS OF PARTIES TO A TRANSACTION IMPEACHED FOR FRAUD COMPETENT AND COMPELLABLE TO TESTIFY IN CERTAIN CASES.

Survivors to a transaction impeached for fraud competent and compellable to testify.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That in any proceeding in any of the Courts of this State in which any transaction shall be impeached for fraud by a creditor or creditors of either party to such transaction, or by any other person interested in establishing such fraud, the survivor or survivors of the parties to such alleged fraud, when one or more of said parties shall be dead, shall be competent and compellable to testify in behalf of such creditor or creditors, or other person interested in establishing such fraud, any law, rule or usage to the contrary notwithstanding: *Provided*, That nothing

herein shall render such survivor or survivors competent to testify in relation to such transaction in their own behalf in any proceeding instituted by him or them: *Provided, further,* That nothing herein shall render any person incompetent as a witness who is now competent under the laws and usage of this State. A. D. 1876.

Approved February 9, 1876.

AN ACT TO DECLARE DAVID McMILLAN THE LEGAL HEIR OF JANE McMILLAN, DECEASED. No. 41.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That David McMillan, of Spartanburg County, be, and he is hereby, declared the legal heir of Jane McMillan, deceased.

Approved February 9, 1876.

AN ACT TO PUNISH PERSONS FOR OBTAINING PROPERTY, &c., BY ANY FRAUDULENT PRETENSE OR REPRESENTATION. No. 42.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That if any person or persons shall, by any false pretense or representation, obtain the signature of any person or persons to any written instrument, or shall obtain from any other person or persons any chattel, money, valuable security or other property, real or personal, with intent to cheat and defraud any person or persons of the same, every such offender shall be guilty of a misdemeanor, and, on conviction, be sentenced to pay a fine not exceeding five hundred dollars, and undergo an imprisonment not exceeding three years: *Provided, always,* That if, upon the trial of any person or persons indicted for such a misdemeanor, it shall be proved that he or they obtained the property in such a manner as to amount in law to larceny, he or they shall not, by reason thereof, be entitled to be acquitted of such misdemeanor; and no person or persons tried for such misdemeanor shall be liable to be afterwards prosecuted for larceny upon the same facts.

Obtaining property by false pretense a misdemeanor.

How punished.

Not to be acquitted if taking amounted to larceny.

Approved February 9, 1876.

- A. D. 1876. **AN ACT TO AUTHORIZE AND EMPOWER E. A. FAIRLY TO ESTABLISH AND MAINTAIN GATES ACROSS A CERTAIN PUBLIC ROAD IN ORANGEBURG COUNTY.**
 No. 43.

E. A. Fairly
to erect gates.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That E. A. Fairly be, and he is hereby, authorized and empowered to erect and maintain gates across a certain road leading from Branchville to the new bridge across North Edisto River, in Orangeburg County: *Provided*, That the same shall always be kept in good repair, so as to afford the least possible inconvenience to the traveling public.

Approved February 9, 1876.

- No. 44. **AN ACT TO DECLARE LEWIS SHAW, META SHAW, NOW WIFE OF WILLIAM H. DEAN, AND MARY SHAW, NOW WIFE OF ANDREW HERRON, THE LEGAL HEIRS OF ELIZABETH BOWMAN, DECEASED.**

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Lewis Shaw, Meta Shaw, now wife of William H. Dean, and Mary Shaw, now wife of Andrew Herron, be, and they are hereby, declared the legal heirs of Elizabeth Bowman, deceased.

Approved February 9, 1876.

- No. 45. **AN ACT REGULATING THE COLLECTION OF INTEREST UPON CERTAIN BONDS.**

Whereas the Counties of Spartanburg and Union have, by a vote of the people of said Counties, subscribed in bonds to the construction of the Spartanburg and Asheville Railroad, the interest on which is payable semi-annually:

Interest fund
to be kept
apart from other
funds.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That for the better securing of the prompt payment of the interest upon said bonds, as well as for the purpose of aiding in the negotiation and sale of the same, the County Treasurers of the Counties of Spartanburg and Union be, and they are hereby, required, in addition

to the duty of collecting a fund to meet the interest on the bonds aforesaid, to keep said fund, so collected to meet the payment of the coupons as they become due, separate and apart from all other funds collected by them in their respective Counties, and, as collected, to deposit the same, as hereinafter designated, to the credit of said interest fund, to be applied to the payment of the coupons aforesaid due upon said bonds. That the fund collected to meet the interest on the said bonds of the County of Spartanburg shall, as collected, be deposited separate and apart by the Treasurer of Spartanburg County in the National Bank of Spartanburg; and the fund collected to meet the interest on the said bonds of the County of Union shall, as collected, be deposited separate and apart by the Treasurer of Union County in the Mechanics' and Planters' National Bank of Union, for the purposes aforesaid. That upon failure of any officer aforesaid to comply with the provisions of this Act, besides being liable to an action on his official bond by the party aggrieved, he shall be deemed guilty of a misdemeanor, and, upon conviction, imprisoned in the State Penitentiary not less than one nor more than two years.

A. D. 1876.

To be deposited in bank.

Failure to comply with provisions herein.

SEC. 2. That this Act shall, on and after its passage, be considered to be in the nature of a contract with the holder of the bonds aforesaid for his protection and the better securing of the prompt payment of the coupons on the same as they may fall due.

Contract with holder of the bonds.

SEC. 3. That this Act shall be deemed and taken as a public Act, and all Acts inconsistent with the same are hereby repealed.

Approved February 11, 1876.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT REQUIRING A BOND FROM COUNTY COMMISSIONERS BEFORE ENTERING UPON THE DUTIES OF THEIR OFFICE." No. 46.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act requiring a bond from County Commissioners before entering upon the duties of their office" be, and the same is hereby, amended, by striking out all after the word "each," on the twelfth line of the Act, down to the words "*Provided, further,*" on line fourteen.

County Commissioners of Barnwell, Beaufort and Richland to give bond of two thousand dollars.

SEC. 2. All Acts and parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved February 11, 1876.

A. D. 1876.

No. 47.

AN ACT TO INCORPORATE THE GREENVILLE BUILDING AND LOAN ASSOCIATION, OF GREENVILLE.

Corporators. SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That W. C. Cleveland, T. C. Gower, L. B. Cline, T. Q. Donaldson, H. C. Mark, J. W. Gray, James P. Moore, J. B. Patrick and Wm. T. Shumate, together with such other persons as now are, or hereafter may be, associated with them, be, and they are hereby, declared a body politic and corporate, for the purpose of making loans of money, secured by mortgage on real estate or personal property, or by conveyance of the same to their members and stockholders, by the name and style of the "Greenville Building and Loan Association."

Corporate name,

Capital stock.

How payable.

SEC. 2. The capital stock of said association may consist of one thousand shares, but as soon as one hundred and fifty shares are subscribed thereto the said association may organize and commence operations; said shares to be paid by successive weekly installments of twenty-five cents on each share as long as the said association shall continue; the said shares to be held, transferred, assigned and pledged, and the holders thereof to be subject to such fines, penalties and forfeitures for default in their payments, as the regulations and by-laws of the association may prescribe.

Powers and privileges.

SEC. 3. That the said association shall have such number and succession of officers and members as shall be ordained and chosen according to the rules and by-laws made or to be made by them for their government; and shall have power and authority, from time to time, and at all times, to make all such rules, regulations and by-laws as are not repugnant to the Constitution and laws of the land; to have and keep a common seal, and the same to alter at will; to sue and be sued, implead and be impleaded, in any Court in this State; and shall have and enjoy every right and privilege incident and belonging to corporate bodies according to the laws of the land.

May hold real estate.

SEC. 4. That the said corporation shall have power to take, purchase and hold real estate, and to sell and transfer the same, from time to time, on such terms, and under such conditions, and subject to such regulations, as may be prescribed by the rules and by-laws of said corporation: *Provided*, That the real estate held by said corporation shall not at any time exceed the value of two hundred thousand dollars.

Amount tenable.

Corporation funds may be loaned.

SEC. 5. That the funds of said corporation shall be loaned and advanced to the members and stockholders upon the security of

real and personal estate, and used in the purchase of real estate for the benefit of its members and stockholders, on such terms, and under such conditions, and subject to such regulations, as may from time to time be prescribed by the rules and by-laws of the said corporation; and it shall be lawful for the said corporation to hold such lands, tenements, hereditaments and personal property as shall be mortgaged or conveyed to them in good faith, by way of security upon its loans and advances, and may sell, alien or otherwise dispose of the same as they may from time to time deem expedient.

A. D. 1876.

SEC. 6. That whenever it shall occur that the funds of the corporation shall remain unproductive and uncalled for, the corporation shall have power to lend whatsoever amount may be thus on hand to others than stockholders and members for such time and at such rates of interest as may be established by virtue of such rules and by-laws as may be made by said corporation.

Unproductive fund may be loaned to others than stockholders.

SEC. 7. That said corporation shall have the right, out of its profits, to declare and pay semi-annual dividends on stock held therein, whether paid in whole or in part, according to such proportion as its rules may establish, but no dividends shall ever be paid so as to diminish the capital stock.

To declare dividends.

SEC. 8. That whenever the funds and assets of the said corporation shall have accumulated to such an amount that, upon a fair division thereof, each stockholder, for each and every share of stock held by him or her, shall have received, or be entitled to receive, the sum of two hundred dollars, or the value thereof in property and assets, the said corporation shall then cease and determine: *Provided, however,* That in case the said corporation shall not have closed its operations and affairs, as above provided for, within a shorter period, then this Act shall not continue in force beyond ten years.

Division of gains.

SEC. 9. That this Act shall be deemed a public Act, and be given and received in evidence without being specially pleaded.

Approved February 11, 1876.

AN ACT TO ESTABLISH A FERRY ACROSS THE WATEREE RIVER, IN RICHLAND AND KERSHAW COUNTIES, AND TO VEST THE SAME IN SAMUEL BOYKIN, J. E. ENGLISH, J. M. ENGLISH AND J. L. THOMPSON, THEIR HEIRS AND ASSIGNS.

No. 48.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That a public ferry be, and the

A. D. 1876.

Location of
ferry.

Rates of toll.

Riparian
proprietors
may erect
gates.

same is hereby, established and chartered, to reach across the Wateree River, in Richland and Kershaw Counties, at Mrs. Harriet English's plantation, on the Richland side, and J. M. De-Saussure's, on the Kershaw side; and that the said ferry be vested in Samuel Boykin; J. E. English, J. M. English and J. L. Thompson, their heirs and assigns, for the term of twenty years, and that the following rates of toll be charged and collected, and no more: For every four-horse carriage or vehicle, seventy-five cents; for every two-horse carriage or vehicle, fifty cents; for every one-horse carriage or vehicle, twenty cents; for every single horse and rider, ten cents; for every foot passenger, five cents; for every head of cattle, goats and hogs, five cents: *Provided*, That children going to and coming from school, and voters going to and returning from elections, militia going to and returning from muster, and clergymen, be passed free from toll: *Provided, further*, That the owners of the land on either side of the river upon which the ferry boats land be, and they are hereby, authorized and empowered to erect a gate or gates over the roads leading to such ferry, through which all persons may pass at all times without the payment of toll or other charge therefor.

Approved February 11, 1876.

No. 49. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO ESTABLISH BY LAW THE VOTING PRECINCTS IN THE VARIOUS COUNTIES OF THE STATE."

Colleton
County.Kershaw
County.Clarendon
County.Chesterfield
County.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to establish by law the voting precincts in the various Counties of the State," the same relating to Colleton County, is hereby amended by striking out "Stock's Causeway" and insert in lieu thereof "Bennett's Point;" by striking out "Gloversville" and insert in lieu thereof "Iron's Cross Roads Schoolhouse;" the same, as relates to the County of Kershaw, be amended, on line 1, by striking out the word and figure "seven, (7)," and inserting in lieu thereof the word and figure "nine, (9);" and at the end of line 3 add the words "Liberty Hill and Cureton's Mill;" and the same, as relates to Clarendon County, on the first line, strike out the word "ten" and insert in lieu thereof the word "nine;" and on the last line strike out the word "Brentley's." In the County of Chesterfield there shall be ten voting precincts, as follows: Chesterfield C. H.,

Cheraw, Steerpen Springs, Cold Hill, Mount Croghan, Old Store, Jefferson, Oro, Hebron Church and Dove Segur's Mills; and the same, as relates to the County of Beaufort, by striking out "Hickory Hill;" and the same, as relates to the County of Pickens, by striking out "Abner Odell's" and insert in lieu thereof "Liberty Station;" also, by striking out "Howard's Shop" and inserting "J. J. Herd's;" and the same, as relates to the County of Darlington, by striking out "Effington" and insert in lieu thereof "Effingham."

A. D. 1876.

Beaufort
County.

Pickens
County.

Darlington
County.

Approved February 11, 1876.

AN ACT TO PROVIDE FOR THE ARBITRATION OF MERCANTILE DISPUTES IN THE PORT OF CHARLESTON. No. 50.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, From and after the passage of this Act, a Court for the hearing and determining of mercantile disputes within the city and port of Charleston, or the collection district of said port, as the same is now, or may hereafter be established by any Act of the Congress of the United States of America, is hereby created, constituted and established, and the same is hereby authorized to be a Court of record, possessing concurrent jurisdiction with the Court of Common Pleas upon all matters of mercantile disputes, as the same are hereby and hereinafter defined.

Establishment
of Court.

To be a Court
of record.

SEC. 2. Any party or parties having a controversy, dispute or matter of difference upon any mercantile or commercial subject, as hereinafter defined, may summon the opposite party or parties to appear before the Charleston Chamber of Commerce, for the settlement of such controversy, dispute or matter of difference, on a day and hour named in such summons, which shall not be less than two or more than five days after the personal service of such summons upon such opposite party, or one or two or more parties jointly interested in the subject-matter of the controversy: *Provided*, All parties are regularly elected members of said Chamber of Commerce; and parties, whether members of such Chamber or not, to any such controversy, dispute or matter of difference arising or being within the city or port of Charleston, or relating to a subject-matter situate or coming within said city or port, as the collection district of said port is now or hereafter may be established and limited by Act of Congress of United States of America, may voluntarily appear before and submit the same to the said Chamber

Parties litigant
to appear be-
fore Chamber
of Commerce.

Chamber of
Commerce to
entertain juris-
diction.

A. D. 1876.

of Commerce, and the said Chamber shall thereupon entertain jurisdiction of such controversy, dispute or matter of difference and of the parties thereto.

Papers to be
filed with the
Arbitration
Clerk.

SEC. 3. At the time mentioned in such summons the party or parties serving such summons shall file such summons, with proof of service, with the Arbitration Clerk hereinafter provided for, and either party may file with him a written declaration, duly acknowledged, objecting to the jurisdiction of the Chamber of Commerce aforesaid in the matter mentioned in such summons; and upon the filing of such written objection, such matter shall be dismissed, and no further proceedings shall be had therein under the provisions of this Act; and if at the time mentioned in such summons the party

Failure to file
objection to
jurisdiction of
Chamber to
be deemed a
waiver.

or parties named therein, or either of them, do not file such written objection, they, and each and every one of them, shall be deemed and held to have fully submitted to the jurisdiction of said Chamber in such matter, and the arbitration hereinafter provided and the further proceedings therein shall be in accordance with the provisions of this Act; and it shall be competent for any member of a firm to file such objection on behalf of himself and his copartners, and for any agent or attorney in fact, or other representative, to do so on behalf of his principal. A copy of this Section of this Act shall be served with and in the same manner as the summons. But no person not a member of the said Chamber shall be deemed to have submitted under the provisions of this Section, nor unless he shall voluntarily appear in person, or by attorney, and signify his submission to the jurisdiction of said Chamber.

Persons not
members of the
Chamber to
appear in per-
son or by at-
torney.

Settlement of
differences.

SEC. 4. Upon the said Chamber of Commerce acquiring jurisdiction, as aforesaid, of any matter pursuant to the provisions of this Act, such matter shall be proceeded upon with dispatch to a settlement by the arbitrator or Board of Arbitration provided for by the provisions of this Act. The respective parties to such matter shall

Parties thereto
may each ap-
point one per-
son to sit with
Arbitrator.

each be entitled, at the time of submitting to such jurisdiction, as herein provided, to nominate and appoint, in writing, one person to sit with the arbitrator to hear and determine the matter, and the award made by them, or the majority of them, shall be deemed and held to be the award therein; and if the said parties refuse or neglect to nominate and appoint, each, one person, as aforesaid, then they shall be deemed and held to have waived their rights to do so, and the matter shall proceed before the arbitrator, hereinafter provided for, as sole arbitrator to hear and determine said matter. Adjournments may be had upon reasonable cause shown, but if any person named by either party shall fail to appear at the time set for the hearing of the matter, without good reason shown for such failure, to the satisfaction of the arbitrator, and that the

Adjournments.

A. D. 1876.

same is only of a temporary nature, his nomination and appointment shall thereupon be declared and held to be vacated, and the same party shall forthwith nominate and appoint another person to act in his place; and upon failure to do so, the arbitrator herein-after provided for shall appoint a disinterested person, not of kin to either party, to act in his place; and upon failure of one party to nominate a person to sit with the arbitrator, when the opposing party has nominated such a person, then the arbitrator hereinafter provided for shall appoint a disinterested person, not of kin to either party, and not nominated by the opposing party, to act as a member of the Board of Arbitration, and the matter shall proceed as if such party had appointed such person to act. The persons appointed by or for the respective parties shall be duly sworn, before the arbitrator, honestly, truly and fairly to hear and determine the matter thus submitted to them, and their oaths subscribed by them, respectively, shall be filed with the award in such matter. The arbitrator shall have full power to administer oaths and affirmations, and to take the proof and acknowledgment of all charter parties, marine protests, contracts and other written instruments, and to issue subpoenas for witnesses to appear and testify, with like effect and penalties as subpoenas issued by Courts of justice. All willful false swearing in any proceeding under the provisions of this Act shall be deemed and held to be willful perjury, and indictable and punishable as such. After the allegations and proofs of the respective parties have been heard, the arbitrator shall have power, upon notice to both parties, to summon any person to give testimony before the arbitrator or the Board, if he or they shall deem such additional testimony necessary to enable them to do justice between the parties. After the final hearing, the arbitrator or Board, or a majority thereof, shall make an award, in writing, under his or their hands, stating the settlement of the controversy, dispute or matter of difference heard and determined by him or them, and file the same within five days after such final hearing with the arbitration clerk hereinafter provided for; and if the said award shall construe any contract or require either party or both parties to do or forbear doing a particular act or acts, or to pay a sum of money, the arbitrator hereafter mentioned shall, at the request of either party, make an order to that effect, and otherwise to carry out the provisions of the award, which order shall, at the instance of either party, be filed by such party in the office of the Clerk of Court of Common Pleas in and for the County wherein such arbitration is held; and it shall be the duty of the said Clerk of the Court of Common Pleas, upon being paid his fees therefor, to docket such order. If such order shall require the payment of a

Arbitrators
to be sworn.

Arbitrator to
administer
oaths.

Award to be
made after
final hearing.

Order to be
filed with Clerk
of Court.

A. D. 1875.

Award may be entered up as judgments now are.

sum of money, or the delivery of any property, any party may enter up, in the manner now prescribed by law for entering judgments of the Circuit Court, a judgment against the party or parties required to pay such sum of money; or deliver any property, and in favor of the party or parties to whom it should be paid or delivered, and execution may thereupon be issued and enforced thereon as and with like effect and validity as on a judgment of the Circuit Court entered up in said office; and the said judgment shall, in other respects, conform to said orders, and when so entered have the same force and effect as a judgment of the Circuit Court of similar purport, and shall be enforced in the same methods, and by the same processes and officers, and upon the payment of the fees now allowed by law. And in case any such order shall be filed and judgment entered thereon, as aforesaid, in the said Court of Common Pleas, the same may be satisfied of record and discharged in the same manner as judgments of the Circuit Court are or may be satisfied and discharged. Judgments entered in conformity with these provisions shall not be subject to be removed, reversed, modified or in any manner appealed from by the parties thereto, except for frauds, collusion or corruption of said arbitrator or Board, or either of them.

Judgments herein not to be reversed except for frauds, &c.

Award to be conclusive between the parties.

SEC. 5. The award of the arbitrator or Board, as provided for in this Act, shall be binding and conclusive upon all parties thereto, and shall effect and secure a final settlement of the matter submitted under the provisions of this Act for his or their decision and award, and shall be upheld and sustained in all the Courts of this State; but the arbitrator hereinafter provided for shall have power, for good cause shown, upon notice to and hearing the parties, to suspend and defer making the order for carrying out the provision of the award, to order that the cause be heard again before the same or other persons to be nominated and appointed as allowed by this Act in the case of the first hearing. But the party applying for such re-hearing shall stipulate to pay all the costs and expenses of the other party or parties incident to such re-hearing, and shall give security therefor, and for the payment or performance of any award which shall be rendered against such applying party, or judgment which shall be entered thereon, in such amount and form as shall be approved by the said arbitrator. Upon such re-hearing, similar proceedings shall be had as in the case of the first hearing, and all the provisions of this Act applying to the first hearing, the award, the order and subsequent proceedings thereon, shall apply similarly in and to all cases of re-hearing. On the first hearing, no cost shall be allowed to either party.

Re-hearings.

Mode of conducting.

SEC. 6. The Recorder of the city of Charleston shall be, and is hereby declared to be, *ex officio* arbitrator, to be known as the Arbitrator of the Charleston Chamber of Commerce, and he is hereby authorized, empowered and directed to have and perform the functions, duties and powers provided for in this Act in connection with his said office. The Governor shall commission such person as may be elected by the Charleston Chamber of Commerce to be the arbitration clerk of the said Chamber; and such person shall take and subscribe an oath faithfully to perform his duties under this Act, which oath shall be filed in the office of the Secretary of State at Columbia. The said Clerk shall safely and correctly keep all the minutes, documents, records, books and other papers and effects of the arbitrator and of the Board provided in this Act, and relating to the arbitrations which may be had hereunder; and the sittings and business of the said arbitrator and Board shall be had and conducted, and the office of the said clerk shall be in a building or room provided by the said Chamber of Commerce at its own proper expense and charges; and the compensation of the clerk shall be a docket fee of five dollars (\$5) for each case, and also such other and further sum for labor as the arbitrator or Board of Arbitration shall allow in any case, and he shall be subject to removal by said Chamber for cause, whereupon they shall elect his successor, who shall be commissioned as aforesaid. The arbitrator shall devise and adopt a seal, which shall be the seal of his office, and be used to authenticate all awards and orders made pursuant to this Act and copies and certifications thereof, and in all Courts and places any instrument sealed with such seal and signed by such arbitrator shall be received as *prima facie* evidence of the existence of such award or order, and of the contents thereof, and shall have the same force and effect as the original thereof. Upon the application of the parties interested, or their representatives, the said arbitrator shall interpret and construe any parol or written contract pertaining to any matter which might be the subject of arbitration under the provisions of this Act.

A. D. 1876.

Arbitrator.

Arbitration
Clerk.

Duties of.

Compensation.

Arbitrator to
adopt seal.May inter-
pret and con-
strue contracts
on application.Rules of pro-
cedure.

SEC. 7. The said arbitrator shall adopt short and simple forms and rules to be observed in proceedings under this Act, and shall have the power to do and order whatever may be necessary to carry out its provisions. In all cases where an immediate hearing is desired by both parties, or is practicable, it shall be had. The same punishment shall be inflicted upon any person convicted of stealing, mutilating or altering the books, records or papers herein directed to be filed with or kept by the clerk of arbitration as are or may hereafter be by law annexed to similar acts in regard to records in the office of the Clerk of the Court of Common Pleas.

A. D. 1876.

Denial of
jurisdiction in
certain cases.

Nothing in this Act shall be construed to give any jurisdiction to the Charleston Chamber of Commerce, to the arbitrator or Board, except upon the voluntary submission and election of the parties as provided for in this Act; nor shall any minor, married woman nor person of unsound mind, nor any matter pertaining to a fee or life tenancy in real estate, nor wherein the title to real estate is concerned, be brought before such arbitrator or Board of Arbitration; nor shall any cause or matter submitted to the arbitrator or Board as provided in this Act be subject to removal by or to the jurisdiction of any of the Courts of this State, except as herein provided; nor shall this Act apply to any cause or matter which shall be pending in any of the Courts of this State or before any arbitration Committee established by law previous to the serving of the summons as provided in this Act. The voluntary submission to arbitration of the particular cases contemplated in this Act, and in the methods herein provided, need not be in writing otherwise than as herein provided. This Act shall not be held to repeal the existing statutes in relation to arbitration. Commissions to take testimony allowed by the arbitration may be issued in the same manner and with the same effect as in Courts of record. Witnesses shall be entitled to the same costs as in said Courts. No person not a regularly elected member of said Chamber of Commerce shall be nominated or appointed by any party to a cause to sit with the arbitrator as hereinbefore provided.

Commissions
to take testi-
mony.

Matters of
jurisdiction
specified.

SEC. 8. That the said Court shall have jurisdiction, as hereinbefore provided, over all disputes or matters of difference upon any mercantile or commercial subject, as the same are herein defined, that is to say, over all matters of accounts, promissory notes, bills of exchange and other negotiable paper, policies of assurance, charter parties, and other contracts concerning freight, either express or implied, bills of lading and other contracts, express or implied, concerning the delivery of goods, wares and merchandise brought into the State in ships or vessels or otherwise from a sister State, or from a foreign port, contracts of bailment of every kind and description soever, controversies in regard to telegraphic despatches, and generally all commercial contracts, and all matters between merchants and persons in trade arising out of or being in due course of business.

Approved February 12, 1876.

AN ACT TO AUTHORIZE WILLIAM TUCKER TO ERECT GATES
ACROSS THE PUBLIC ROAD LEADING ACROSS TYGER RIVER, IN
UNION COUNTY, NEAR SAID RIVER.

A. D. 1876.

No. 51.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That William J. Tucker be, and he is hereby, authorized to erect gates across the public road leading across Tyger River, at Hamilton's Bridge, at or near where such gates are now standing: *Provided*, Such gates are kept in good repair.

Approved February 12, 1876.

AN ACT TO CHANGE THE NAME OF FRANCES AMELIA GANTT TO
FRANCES AMELIA WILLINGHAM, AND TO MAKE HER THE LEGAL
HEIR OF JAMES WILLINGHAM AND OF HIS WIFE, LOUISA F.
WILLINGHAM.

No. 52.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the name of Frances Amelia Gantt be, and it is hereby, changed to Frances Amelia Willingham, and that hereafter the said Frances Amelia Gantt shall be known and called Frances Amelia Willingham.

Name changed
to Willingham.

SEC. 2. That the said Frances Amelia Willingham be, and she is hereby declared to be, the legal heir of James Willingham, and of his wife, Louisa F. Willingham.

Legal heir of
James Will-
ingham *et ux.*

Approved February 12, 1876.

AN ACT TO INCORPORATE THE SOUTH CAROLINA LAND AND
IMPROVEMENT COMPANY.

No. 53.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That William Johnston, Allen Macauley, William Keeney, A. R. Shepard, Henry Birch, Alexander Campbell, J. W. Scudder, Samuel A. Pearce, Jr., John P. Southern, James Anderson, T. B. Johnston, John B. Palmer, Henry F. Cox, William Murdock, J. S. Wiley, John M. Mackay, Joseph Wilkinson, John Anderson, and all and every other person or persons hereafter becoming members of the South

Corporators.

A. D. 1876.

Corporate
name.Powers and
privileges.

Carolina Land and Improvement Company, of Beaufort County, their successors and assigns, be, and the same are hereby, declared a body politic and corporate, under the style and name of the South Carolina Land and Improvement Company, and by that title shall have perpetual succession and be capable in law of purchasing, using, holding, letting, improving and disposing of such real and personal property as may be necessary for the objects of this incorporation; and may sue and be sued, plead and be impleaded, answer and be answered unto, defend and be defended, in all Courts of law and equity, and may receive and make all deeds, transfers, covenants, conveyances, grants, contracts, agreements and bargains whatsoever necessary for the said purposes; and may have and use a common seal, which they shall have power to renew or alter at pleasure; to make such by-laws for the government of such corporation as are consistent with this Act and the laws and Constitution of this State and the United States; and generally may do every act or thing necessary to carry into effect the provisions of this Act and promote the objects and designs of said company as authorized by this Act.

Capital stock.

Commission-
ers to take sub-
scriptions.

SEC. 2. The capital stock of the said company shall be five hundred thousand dollars, with the privilege of increasing the same to two million dollars, to be divided into shares of one hundred dollars each, and shall be raised in the following manner: The following named persons are hereby appointed Commissioners to receive subscriptions to the capital stock, to wit: John P. Southern, William Keeney, John M. Mackay, Joseph Wilkinson, William Johnston, James Anderson, Stephen Morgan, Allen Macauley and William Murdock. The said Commissioners, or a majority of them, shall open books at such places in Beaufort County and in the city of Columbia as they shall appoint within ten days from the passage of this Act and receive subscriptions to the said stock: *Provided*, The said Commissioners shall have given at least six days' notice in one of the papers in the County of Beaufort and in one of the papers in the city of Columbia of the time and place of receiving the subscriptions; and every person who shall become a holder or entitled to one or more shares of the said stock shall thereupon become a member of the South Carolina Land and Improvement Company, hereby incorporated; and every person, on being divested of all shares of said stock, by transfer or otherwise, shall thereupon cease to be a member of the said company: *And provided, further*, That the Board of Directors shall have power, in like manner, and at such times as they shall see fit, (by and with the consent of the majority of the stockholders, in ratio of shares,) to increase the said capital to the sum of two million dollars.

Increase of
capital.

SEC. 3. That the stockholders of this company shall be liable for the debts and obligations of the company to the extent only of the par value of his or her shares in the same.

A. D. 1876.

Liability of
stockholders.

SEC. 4. That when one thousand shares of said stock shall be subscribed and paid in, the members of the said company shall proceed to elect, after having given ten days' notice in each of the newspapers aforesaid of the time and place of such election, seven Directors, who shall continue in office until the second Thursday in December then next ensuing and until others shall be chosen; and the members of the said company shall, annually, thereafter, on the second Thursday in December, elect from the stockholders of said company seven Directors, to serve for the term of twelve months, and until others shall be chosen; and the election of Directors shall be conducted in accordance with the by-laws or regulations hereafter to be made by a majority of the stockholders, who may vote either in person or by proxy; and all elections shall be by ballot; each share of stock on which all installments due have been paid shall entitle the holder thereof to one vote; and the seven persons who shall receive the greatest number of votes shall be the Directors, which said Directors, during their term of service, shall have the sole management and direction of the stock, property, affairs and concerns of said company; and the number of Directors may be increased or diminished as the by-laws or articles of association may direct.

Election of
Directors.

Conduct of.

SEC. 5. That the capital stock of said company shall be deemed personal property, and transferable only on the books of the company in such manner as the by-laws or articles of association shall direct; and any of the owners of the lands herein authorized to be purchased by the said company may take stock to the amount of the whole or any part of his, her or their interest therein.

Transfer of
stock.

SEC. 6. That the said company be, and they are hereby, empowered to improve all such lands as they own or may hereafter purchase, by laying out the same into lots, streets, squares, lanes, alleys and other divisions; of leveling, raising and grading the same, or making thereon all such wharves, workshops, factories, warehouses, stores, dwellings, and such other buildings and improvements as may be found or deemed necessary, ornamental or convenient, and constructing on the lands of the said company aqueducts and reservoirs for conveying, collecting and providing pure and wholesome water; and letting, renting, leasing, mortgaging, selling or changing the same, or using any lot or other portion of any of the said lands for depots, and for agricultural, mining or manufacturing purposes; and they shall have power to purchase, fill up, occupy, possess and enjoy all lands covered with water fronting and

Special powers.

A. D. 1876.

adjoining the lands that may be owned by them; and they may construct thereon wharves, harbors, piers and slips, and all other structures requisite or proper for commercial and shipping purposes; and they may enjoy ferry rights on all lands owned by said company, suited for such purposes, or when they shall have purchased the ferry right from the owners thereof; and they may also purchase and build steamboats, steamers and other vessels.

May issue
bonds.

SEC. 7. That the said company shall be at liberty to subscribe for and take stock in any company that now is or hereafter may be incorporated by the Legislature of this State. And said company is hereby empowered and authorized to issue bonds, secured by lien on the property of the said corporation, to an amount not exceeding the value of the property owned by said corporation, with interest on said bonds, payable semi-annually: *Provided*, That before any such bonds are issued their issue shall be approved of and sanctioned by at least two-thirds in amount of the stock of said company. And said company is hereby authorized and empowered to issue additional bonds to such an amount that the interest thereon, at eight per cent. per annum, shall not exceed the net income of said corporation.

Office of com-
pany.

SEC. 8. That the office of the said company shall be located in Beaufort County, but said company may, for their own convenience, establish offices in the cities of Charleston and Columbia.

Limitation of
corporate ex-
istence.

SEC. 9. That all the corporate powers, rights and privileges hereby granted shall cease and determine at the expiration of ninety years from the date of this Act.

SEC. 10. That all Acts or parts of Acts inconsistent with the provisions of this Act be, and the same are hereby, repealed.

Approved February 12, 1876.

No. 54. AN ACT TO AMEND SECTION 17 OF CHAPTER XLV OF THE GENERAL STATUTES, RELATIVE TO PERSONS LIABLE TO WORK ON PUBLIC HIGHWAYS AND ROADS, SO FAR AS THE SAME MAY RELATE TO THE COUNTY OF GREENVILLE.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 17, Chapter XLV, of the General Statutes of the State of South Carolina be, and the same is hereby, amended so far as the same may relate to the

"Seventeen
and fifty" in
lieu of "eight-
een and forty-
five."

County of Greenville by striking out, on the second line, the words "eighteen and forty-five," and inserting in lieu thereof the words "seventeen and fifty."

Approved February 12, 1876.

AN ACT TO INCORPORATE THE ORANGEBURG AND SANTEE
RAILROAD COMPANY.

A. D. 1876.

No. 55.

SECTION 1: *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That T. C. Andrews, A. D. Frederick, W. R. Jervay, N. A. Bull, George Boliver, W. N. Scovill, J. W. Moseley, George H. Cornelson, Theodore Kohn, Wallace Cannon, Samuel Dibble, P. E. Jones, T. W. Mellichamp, John Hannon, J. H. P. Tate, W. F. Barton, John H. Livingston, E. Ezekiel and J. W. Faurey, and their associates and successors, be, and they are hereby, constituted a body politic and corporate, by the name and style of the Orangeburg and Santee Railroad Company.

Corporators.

Corporate name.

SEC. 2. That the said company shall have power and authority to build and construct a railroad from a point at or near the town of Orangeburg, in South Carolina, to a landing on Santee River, in South Carolina, by the most direct and practicable route, as said company may determine; to acquire by purchase, or otherwise, and to hold, own, possess and sell, or otherwise transfer, real or personal estate. It shall also have all and every other power, authority, privilege and right common or necessary to similar corporations, not inconsistent with the laws of this State or the provisions of this Act.

Route.

May hold and dispose of real estate.

SEC. 3. That the said corporators shall be, *ex officio*, Directors of said company, with the usual powers and privileges, including the power to fill vacancies in their body, should any occur, until said company is fully organized.

Directors.

SEC. 4. That, for the purpose of creating the capital stock of said company, which shall not exceed two millions of dollars, the said corporators, or a majority of them, are hereby authorized and empowered, as soon after the passage of this Act as may be deemed advisable, to appoint Commissioners to open books of subscriptions, at such times and places and under such rules and regulations as may be prescribed; the capital stock of said company to be divided into shares of fifty dollars each, and the subscription thereto to be received, payable in money, land, labor, or material necessary in the construction or equipment of said railroad, bonds, stocks or other valuable credits, in such manner and upon such terms as may be agreed upon between the said company and such subscribers.

Capital stock.

Books of subscription.

SEC. 5. That the said company shall have full power and authority to connect with or cross all other railroads on its proposed line, and also to unite or consolidate with other railroads,

May unite or consolidate with other roads.

A. D. 1876.

When may
commence
business.

either in or out of this State, in such manner and upon such terms as may be agreed upon between the companies so consolidating: *Provided*, The same be not inconsistent with the laws of this State.

SEC. 6. That the said company shall have authority to organize and elect its officers and Directors as soon as the sum of twenty-five thousand dollars shall have been subscribed and paid in, in manner and form, and for the same period of time, as are set forth in Sections 4, 18, 19 and 20 of an Act entitled "An Act to incorporate the Edgefield Branch Railroad Company," approved March 14, 1874.

Subject to
provisions
of
certain Act.

SEC. 7. That the said railroad company shall be subject to the provisions of an Act of the General Assembly of South Carolina, ratified September 22, 1868, entitled "An Act to declare the manner by which the lands, or the right of way over the lands, of persons or corporations may be taken for the construction and uses of railways and other works of internal improvement:" *Provided*, however, That nothing herein contained shall be so construed as to exempt the company from the payment of taxes.

When to be
commenced
and completed.

SEC. 8. That the said railroad shall be commenced within three years, and completed within seven years from the passage of this Act.

SEC. 9. That this Act shall be held and deemed a public Act, and shall vest and continue in said company and their successors for and during the term of ninety-nine years, to be computed from the time of the corporate existence of the company.

Approved February 12, 1876.

No. 56. AN ACT TO INCORPORATE THE GREAT SOUTHERN FIRE KINDLER COMPANY.

Corporators.

Corporate
name.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That J. T. Welsman, Louis Sherfesees, Daniel S. Silcox, John Commins, Dunbar J. Paul, Stephen E. Welch and Edward Sebring, together with such other persons as now are or may hereafter be associated with them, shall be, and they are hereby, constituted and made a body politic and corporate, under the name and style of the Great Southern Fire Kindler Company.

Capital stock.

SEC. 2. The capital of the said company shall be twenty thousand dollars, divided into four hundred shares of fifty dollars each, the privilege being reserved to the said company at any time hereafter, in such manner as it may determine, to increase the capital

stock to an extent and an amount not exceeding two hundred thousand dollars. The amount due on each share shall be called in and paid by each stockholder at such times and in such amounts as may be determined by the said company.

A. D. 1876.

SEC. 3. The said company shall have full power and authority to manufacture and vend a material for kindling purposes, and to erect all machinery used for the said purposes, or which may be necessary for the proper carrying on of said business; and to erect such mills, workshops and buildings as may be required in connection therewith. The said company shall also be authorized to constitute agents in this State or any other State of the United States.

Object of corporation.

Agents.

SEC. 4. The said company may purchase and hold such real estate as may be required for the purposes of its business, or such as it may be obliged or deem it for its interest to take in the settlement of any debts due the said company, and may dispose of the same; and may sue and be sued in all Courts of law and equity; may have and use a common seal, and make such by-laws for its regulation and government as it may deem proper: *Provided*, They are not inconsistent with the Constitution and laws of the United States and of this State.

May hold and dispose of real estate.

General powers.

SEC. 5. The said company shall have the right to purchase from any party or parties whomsoever, at such price as it may deem proper, any patent or patents issued by the United States to any party or parties whomsoever, or their assigns, to enable it to conduct the business of manufacturing and vending a fire kindler, and the sum paid for such patent or patents shall constitute a portion of the capital of said company, provided for by the second Section, either as limited therein or as increased in such mode and manner as may be determined by the said company.

May purchase patents.

SEC. 6. That said company shall not commence business until the amount of ten thousand dollars of the capital stock shall be subscribed and paid in, and an oath or affirmation of such subscription and payment thereof shall be made by the President, Treasurer and a majority of the Board of Directors, which shall be recorded in the Secretary of State's office, and published once a week for three weeks in one newspaper in the State.

When may commence business.

SEC. 7. Every stockholder of the said company shall be individually liable for the debts contracted by the company during the time he shall be a stockholder therein, to the extent of ten per cent. of the par value of his shares in the same: *Provided*, That no person holding such stock as collateral security shall be personally subject to any liability as stockholder, but the person pledging such stock shall be considered as holding the same, and shall be liable as

Liability of stockholders.

A. D. 1876.

a stockholder accordingly: *And provided, further,* That no stockholder shall be personally liable for the payment of any debt contracted by the said company which is not to be paid within one year from the time the debt is contracted, nor unless a suit for the collection of such debt shall be brought against the said company within one year after the debt shall become due; and no suit shall be brought against any stockholder who shall cease to be a stockholder in said company for any debt so contracted unless the same shall be commenced within one year from the time he shall have ceased to be a stockholder in said company, nor until an execution against the said company shall have been returned unsatisfied in whole or in part.

Rules in re-
gard to capital
stock.

SEC. 8. The capital stock of the said company shall be deemed personal property, and be transferable upon the books of the said company, and no part of said capital stock shall, at any time or upon any pretense whatever, be loaned to or divided amongst the stockholders; neither shall the capital be withdrawn or divided amongst the stockholders until all the liabilities of the company are lawfully paid, and no dividends shall be declared except from the net earnings of the company. Each stockholder shall be entitled to one vote for each share which he or she may own or represent at the election of President and Directors and all meetings of the stockholders of the company.

Manner of
voting.

Delinquent
shares.

SEC. 9. If the owner of any share shall neglect to pay any installment assessed thereon for the space of sixty days after the time appointed for the payment thereof, the Treasurer of the company, by the order of the President and Directors, may sell by public auction a sufficient number of such delinquent shares to pay all installments then due from him, with all necessary incidental charges. The Treasurer shall give notice of the time and place of sale, and of the sum due on each share, by advertising the same one week before the sale in some newspaper which may be printed in the County in which the company is located, and a bill of sale of the shares so sold, made by the Treasurer, shall transfer said stock to the purchaser, who shall be entitled to a certificate thereof.

Books of sub-
scription.

SEC. 10. James T. Welsman, Louis Sherfese, Daniel S. Silcox, John Commins and Dunbar J. Paul, or a majority of them, may, as Commissioners, open books and take subscriptions for the capital stock in such manner and at such places as they may deem expedient; and whenever such subscriptions shall amount to ten thousand dollars, the stockholders, after one week's notice to each in writing, or after advertisement once a week for two weeks in a newspaper in the County in which the company is located, may meet and proceed to elect a President, Directors, and such officers

Election of
officers.

as they may deem necessary for conducting the affairs of the company, who shall hold office until their successors shall, as may be provided for by the by-laws, be elected.

A. D. 1876.

SEC. 11. This Act shall be deemed and taken to be a public Act, and shall continue of force for twenty years.

Approved February 19, 1876.

AN ACT TO INCORPORATE THE CHARLESTON NEWSPAPER COMPANY.

No. 57.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Bren Doscher, E. Rosenthall, Frederick Puckhaber and others, and their associates and successors, are hereby made and created a body politic and corporate, under the name and style of the Charleston Newspaper Company, for the purpose of publishing a newspaper in the city of Charleston, and other printing business, with a capital of ten thousand dollars, with power to increase the same to one hundred thousand dollars. The liability of the individual stockholders is hereby limited to their stock.

Corporators.

Corporate name.

Capital.

Liability of stockholders.

SEC. 2. The said corporation may purchase and hold real estate and personal property as may be necessary for their purposes; may sue and be sued; have a common seal; may make by-laws and regulations not inconsistent with the laws of the land, and shall have all the rights and privileges generally incident to corporations.

General powers.

SEC. 3. This Act shall be of force for the term of twenty-one years.

Approved February 19, 1876.

AN ACT TO CHANGE THE NAME OF ALVA FOWLER TO ALVA PRINCE, AND MAKE HIM THE LAWFUL HEIR OF JOHN PRINCE.

No. 58.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the name of Alva Fowler be, and it is hereby, changed to that of Alva Prince, and he is hereby declared the lawful heir of John Prince.

Approved February 24, 1876.

STATUTES AT LARGE

A. D. 1876. AN ACT TO AUTHORIZE TRIAL JUSTICES TO GRANT NEW TRIALS.

No. 59.

When new
trials may be
granted.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That any Trial Justice Court of this State shall have power to grant a new trial in any case tried in the said Court for reasons which new trials have usually been granted in the Courts of law of the United States: *Provided, however,* The case tried shall only be heard and tried anew by the Trial Justice before whom the case shall first be tried.

When may be
heard.

SEC. 2. That no motion for a new trial shall be heard unless made within five days from the rendering of the judgment.

Appeals.

SEC. 3. That the right of appeal from the judgment shall exist for five days after the refusal of a motion for a new trial.

Approved February 24, 1876.

No. 60. AN ACT TO AUTHORIZE AND EMPOWER ROBBINS, BODINGTON & CO. TO CONSTRUCT A WHARF IN BEAUFORT COUNTY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Robbins, Bodington & Co. be, and they are hereby, authorized and empowered to construct a wharf in front of property owned by them on Beaufort River, between the towns of Beaufort and Port Royal, with power to collect wharfage and sell or lease the same.

SEC. 2. That this Act shall be deemed a public Act, and continue in force for a period of ninety years.

Approved February 24, 1876.

No. 61. AN ACT TO RECHARTER McNARRY'S FERRY, OVER THE SALUDA RIVER, IN EDGEFIELD COUNTY, AND TO VEST THE SAME IN JOHN F. GRADICK, HIS HEIRS AND ASSIGNS.

McNarry's
Ferry rechar-
tered.

In whom
vested.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act, the ferry over the Saluda River, in Edgefield County, known as McNarry's Ferry, be, and the same is hereby, rechartered and vested in John F. Gradick, his heirs and assigns, for the term of fourteen years, with the following rate of toll: For each pass-

enger, five cents; man and horse, fifteen cents; horse and buggy, twenty-five cents; one horse wagon, twenty-five cents; for each two-horse wagon, fifty cents; for each four-horse wagon, seventy-five cents; for each head of cattle, five cents; for each hog, sheep or goat, three cents: *Provided*, That children going to and returning from school, voters going to and returning from the polls on election day, and clergymen, shall be passed free of charge over said ferry.

A. D. 1876.

Rates of toll.

Approved February 24, 1876.

AN ACT TO AMEND SECTION (1) ONE, CHAPTER (XCIV) NINETY-FOUR, OF THE GENERAL STATUTES, IN RELATION TO SALES BY EXECUTORS, ADMINISTRATORS AND FIDUCIARIES.

No. 62.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section (1) one, Chapter (XCIV) ninety-four, Title (V) five, of the General Statutes be amended so as read as follows: "That whenever any person has directed or shall direct by his or her last will and testament, duly executed in the presence of three or more credible witnesses, that his or her land shall be sold for the payment of his or her debts, or for the purpose of distributing the money which may arise from the sale thereof among his or her legatees or for any other purpose whatsoever, that then, in such case, if either such power of sale be expressly given to the executor or executors of said will, or if no person is named in said will to execute the said power, it may and shall be lawful to and for the executors or a majority of such executors who shall qualify on the said will to sell and convey the said lands agreeably to the intention of the testator."

When executor may sell and convey lands.

Approved February 24, 1876.

AN ACT TO PROTECT THE OWNERS OF TURPENTINE FARMS IN THIS STATE.

No. 63.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That on and after the passage of this Act it shall be unlawful for any person to set fire to any woods so near to any turpentine farm in this State as to injure or burn any such farm; and whoever shall willfully and maliciously set fire

Firing woods near turpentine farms unlawful.

A. D. 1876.

Firing tarpen-
tine farms a
felony.
How punish-
able.

to any woods at any time whereby such farm or farms are injured and burned, the person or persons so offending shall be adjudged guilty of a felony and liable to be punished at hard labor in the Penitentiary for the period of one year or fine in the sum of five hundred dollars.

Approved February 24, 1876.

- No. 64. AN ACT TO PROHIBIT THE SALE OF ARDENT SPIRITS WITHIN ONE MILE OF THE LIMESTONE SPRINGS FEMALE HIGH SCHOOL, IN SPARTANBURG COUNTY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the sale of ardent spirits within one mile of the Limestone Springs Female High School, in Spartanburg County, be, and the same is hereby, prohibited.

SEC. 2. That upon the conviction of any one who shall violate the provisions of this Act, he shall be punished by a fine not exceeding one hundred dollars, or imprisonment not exceeding six months, at the discretion of the Court.

Approved February 24, 1876.

- No. 65. AN ACT TO RENEW THE CHARTER OF THE WEST POINT MILL COMPANY.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the charter of the West Point Mill Company be, and the same is hereby, renewed for the term of fourteen years from the date of this charter, and until the session of the General Assembly subsequent thereto, with all the rights and privileges heretofore granted to said company.

Approved February 24, 1876.

AN ACT TO AUTHORIZE THE TOWN COUNCIL OF GAFFNEY CITY, IN SPARTANBURG COUNTY, TO ADOPT, LAY OUT, OPEN, WIDEN, EXTEND AND ALTER CERTAIN STREETS.

A. D. 1876.

No. 66.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Town Council of Gaffney City, in the County of Spartanburg, be, and they are hereby, authorized and empowered to lay out, adopt, widen, extend or otherwise alter the streets now in use, and open and keep in repair all such new streets, roads and ways within its corporate limits as they may from time to time deem necessary for the improvement or convenience of said town.

New streets.

SEC. 2. That should the land owner or owners through whose premises any such street, road or way may pass, refuse his, her or their consent to such action of the Town Council in laying out, opening, widening, extending or altering such streets, roads or ways, the said Town Council shall have the right to take possession of all such land necessary to carry out the provisions of Section 1 of this Act upon the payment of the assessed value thereof to the party or parties owning such lands; said assessment to be made by five disinterested freeholders of said town, two of said freeholders to be appointed by said Town Council, and two by the parties owning such land, and the fifth to be elected by the four appointed as above.

Right of way, how obtain-
able.

SEC. 3. That all Acts or parts of Acts inconsistent to the provisions of this Act be, and the same are hereby, repealed.

Approved February 24, 1876.

AN ACT AUTHORIZING AND REQUIRING THE COUNTY COMMISSIONERS OF GREENVILLE COUNTY TO LAY OUT AND OPEN A PUBLIC HIGHWAY IN SAID COUNTY.

No. 67.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Greenville County be, and they are hereby, authorized and directed to lay out and open a public highway in said County, commencing at or near John H. Goodwin's, on the State road, and from thence, by the most direct and practicable route, to a point on the North Carolina line at or near Milton Trammell's.

Approved February 24, 1876.

A. D. 1876.

No. 68.

AN ACT TO AUTHORIZE AND EMPOWER JAMES EDWARD CALHOUN TO ERECT AND MAINTAIN GATES ACROSS CERTAIN ROADS IN ABBEVILLE COUNTY.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That James Edward Calhoun be, and he is hereby, authorized and empowered to erect and maintain gates on the main Augusta road, in Abbeville County, at the entrances of the roads running through his lands to Calhoun's and Norwood's Landings, on the Savannah River: *Provided*, That said gates shall always be kept in good repair, and constructed in such manner as will afford the least trouble in passing the same.

Approved February 24, 1876.

No. 69.

AN ACT CONCERNING HAWKERS AND PEDDLERS.

Hawkers and
peddlers to
obtain license.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That before any hawker or peddler shall expose to sale or sell any goods, wares or merchandise in any County in this State, such hawker or peddler shall first apply to the Clerk of the Court of Common Pleas and General Sessions of such County for a license for the sale of his or her goods, wares, merchandise; and the said Clerk, upon the payment to him by such hawker or peddler of the sum of ten dollars, shall thereupon issue to such hawker or peddler a license authorizing the said hawker or peddler so to expose to sale and sell such goods, wares and merchandise within the limits of the County wherein such license shall be granted for the term of one year from the date thereof and no longer.

Who may sell
under such
license.

SEC. 2. That such license so granted as aforesaid shall not be construed to authorize or permit any other person to sell or expose to sale any goods, wares and merchandise except the person to whom and in whose name it shall have been issued; that it shall not be lawful to transfer such license by assignment, endorsement, delivery or otherwise, so as to enable any other person to use it for such purpose.

Selling with-
out license a
misdemeanor.

SEC. 3. That if any hawker or peddler from and after the passage of this Act shall sell or expose to sale any goods, wares or merchandise in any County in this State without having obtained a license for that purpose according to the provisions of this Act, he

or she shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by imprisonment in the County jail for a term of one month, or a fine of fifty dollars, or both, at the discretion of the Court.

A. D. 1876.

How punish-
able.

SEC. 4. That the provisions of this Act shall not extend to vendors of fruit, fruit trees, maps, newspapers, magazines, books, vegetables, tobacco, provisions of any kind, or agricultural products, or the products of nurseries, or to sales by sample by persons traveling for established commercial houses, or to sales of staple articles manufactured in this State.

Who may sell
without such
license.

SEC. 5. That all moneys collected under the provisions of this Act shall be turned over to the County Treasurers of the several Counties, to be applied to school purposes.

License fees
to go to school
fund.

SEC. 6. That all Acts and parts of Acts inconsistent with this Act be, and are hereby, repealed. This Act shall not take effect until ninety days after its passage.

Approved February 24, 1876.

AN ACT TO ALLOW JAMES E. BOYCE TO BUILD A WHARF No. 70.
IN THE TOWN OF BEAUFORT, SOUTH CAROLINA.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That James E. Boyce be, and he is hereby, authorized to build a wharf leading to Bay street, in the town of Beaufort and County of Beaufort, and to extend the same as far towards the channel of the river as may be necessary for commercial purposes; to collect wharfage on same, and to use, sell or lease said wharf.

J. E. Boyce to
build wharf.

SEC. 2. That the franchise herein granted shall be vested in the said James E. Boyce, his heirs, executors, administrators and assigns, for the term of ninety-nine years.

Approved February 24, 1876.

AN ACT TO ESTABLISH A FERRY ACROSS PORT'S CREEK, No. 71.
GEORGETOWN COUNTY, S. C.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That a public ferry be, and is hereby, established and chartered to reach across

Ferry across
Port's Creek
established.

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In whom
vested.

Rates of toll.

the Port's Creek, in Georgetown County, below Britton's Ferry, on the Peedee road, and the said ferry to be vested in Henry E. Spivey, Alex. G. Jones and Mathew Gough for a term of fifteen (15) years, and that they be empowered to charge and collect the following rate of toll, and no more, to wit: For every four-horse carriage or vehicle, seventy-five cents; for every two-horse carriage or vehicle, fifty cents; for every one-horse carriage or vehicle, twenty-five cents; for every single horse and rider, ten cents; for every foot passenger, five cents; for every head of cattle, goats, sheep and hogs, five cents: *Provided*, That children going to and from school, and all voters going to and returning from elections, militia mustering, and licensed ministers of the gospel, be passed free of toll.

Approved February 24, 1876.

- No. 72. AN ACT TO CHANGE THE NAME OF GEORGE MCNEAL TO THAT OF GEORGE HASKINS, AND MAKE HIM THE LAWFUL HEIR OF GEORGE HASKINS.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the name of George McNeal be changed to that of George Haskins, and he is hereby made the lawful heir of George Haskins.

Approved February 24, 1876.

- No. 73. AN ACT TO RECHARTER HOWELL'S FERRY, ON THE BOUNDARY LINE OF YORK AND UNION COUNTIES, IN THE NAME OF J. S. R. THOMPSON.

Howell's Ferry
rechartered.In whom
vested.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Howell's Ferry, where the Howell's Ferry road crosses Broad River, and on the dividing line between York and Union Counties, be, and the same is hereby, re-chartered for the term of twenty years from and after the passage of this Act, and is hereby vested in J. S. Roland Thompson, his heirs and assigns, with the following rates of ferriage, to wit: for each footman, ten cents; for each person on horseback, fifteen cents; for each one-horse vehicle, thirty-five cents; for each two-horse vehicle, fifty cents; for each three-horse vehicle, sixty-five cents; for each vehicle drawn by four or more horses, seventy-five cents;

for each head of horses or cattle, five cents; for each head of hogs or sheep, two cents: *Provided*, That voters going to or returning from elections, children, and teachers going to or returning from school, and clergymen, shall be exempt from paying toll.

A. D. 1876.

Rates of toll.

Approved February 24, 1876.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO REGULATE THE APPOINTMENT AND SALARY OF TRIAL JUSTICES IN AND FOR THE COUNTY OF SUMTER." No. 74.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of same, That Section 5 of an Act entitled "An Act to regulate the appointment and salary of Trial Justices in and for the County of Sumter," approved March 11, 1875, be, and the same is hereby, amended by striking out the word "three," occurring on the ninth line, and inserting in lieu thereof the word "five."

Five hundred dollars for serving processes.

SEC. 2. That Section 7 of the same Act be, and the same is hereby, amended by inserting on the fifth line of said Section, between the words "said" and "Treasurer," the following words: "County Commissioners or."

Failure of County Commissioners to set aside salaries.

Approved February 24, 1876.

AN ACT TO WITHDRAW CERTAIN UNDRAWN APPROPRIATIONS HERETOFORE MADE, AND TO FINALLY CLOSE CERTAIN OBSOLETE ACCOUNTS, ON THE BOOKS OF THE COMPTROLLER GENERAL AND STATE TREASURER OF THIS STATE. No. 75.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That so much of the following appropriations heretofore made as now remain undrawn, and against which there are no outstanding warrants or claims, viz: Attendant Supreme Court Library, \$355.69; Jurors' and Constables' certificates, \$22,914.36; maintaining quarantine, \$3,036.34; building State Orphan Asylum, \$20,000; transient sick poor, \$4,246.25; District Judges, general account, \$4,481.44; New State Capitol, \$13,916.60; military contingencies, \$9,130.05; publishing tax and appropriations orders, \$300; temporary log house and jail, (Beaufort), \$800; fitting up Governor's residence, \$20.77;

Certain undrawn appropriations withdrawn from Treasurer's and Comptroller's books.

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artificial legs, \$2,851.07; election returns, \$10.44; building and renting houses for Courts, Orangeburg County, \$350; removing public records to Charleston, \$300; safes for Comptroller and Treasurer's office, \$260.77; fencing grounds, Governor's residence, \$46.81; appropriation lighting State House, \$2,000; building vault Comptroller's office, \$27.50; six per cent. bonds, military defense, 1860, \$239,200; seven per cent. bonds, military defense, 1860, \$191,500; seven per cent. stocks, military defense, 1861, \$1,514.710; seven per cent. stocks, Act December, 1861, amending Act January, 1861, \$296,780; interest on seven per cent. stock, military defense, \$430,034.32; interest on seven per cent. bonds, military defense, \$80,161.55; interest on six per cent. bonds, military defense, \$34,831; interest on seven per cent. bonds, military defense, \$67,812.21; support South Carolina University, fiscal year ending October 31, 1874, \$4,000; education deaf, dumb and blind, fiscal year ending October 31, 1874, \$10,000; beneficiary scholarships, University South Carolina, fiscal year ending October 31, 1874, \$1,620; purchase of school books, \$316.20: total, \$2,956,115.33, be, and the same are hereby, withdrawn, and the Comptroller General and Treasurer are hereby authorized to make such entries on their respective books as may be necessary by reason of this Act.

Obsolete accounts with-
drawn.

SEC. 2. That those obsolete accounts on the books of the Treasurer and Comptroller General, which are considered worthless, or for which no settlement can be effected, viz: E. W. M. Mackey, Sheriff, Charleston, \$2,253.59; T. W. Arledge, Sheriff, Clarendon, \$540.43; Q. L. Cooper, Sheriff, Georgetown, \$34.39; S. W. Anderson, Sheriff, Laurens, \$13.34; W. W. Houseal, Sheriff, Newberry, \$888.56; S. P. Matthews, Sheriff, Williamsburg, \$2,726.37; J. W. Freeman, Sheriff, Barnwell, \$768.61; J. Nabors, Sheriff, Laurens, \$424; J. B. Hunter, Tax Collector, Barnwell, \$2,163.49; J. E. Goodson, Tax Collector, Darlington, \$371.81; Henry Pate, Tax Collector, Kershaw, \$9.84; J. M. Faucette, Tax Collector, Union, \$100.04; T. J. Knight, Tax Collector, St. George, \$22.10; N. Langford, Tax Collector, Prince William's, \$1,366.58; J. F. Johnston, Tax Collector, St. Helena, \$3,845.07; W. S. Lance, Tax Collector, St. Luke's, \$2.30; R. Jones, Sheriff, Abbeville, \$50.80; J. B. McGee, Sheriff, Anderson, \$479.27; G. O. Riley, Sheriff, Barnwell, \$356.81; N. G. Walker, Sheriff, Barnwell, \$52.56; S. H. Stallings, Sheriff, Barnwell, \$1,590.87; Wm. Youmans, Sheriff, Beaufort, \$60; C. E. Davant, Sheriff, Beaufort, \$291.79; H. Goethe, Sheriff, Beaufort, \$916.83; J. E. Carew, Sheriff, Charleston, \$4,991.39; J. Dunovant, Sheriff, Chester, \$17.74; Wm. McDonald, Sheriff, Chester, \$1,073.76; Jos. Johnson, Sheriff, Chesterfield, \$117.31; Y. N. Butler, Sheriff, Clarendon, \$73.47; H.

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W. Rice, Sheriff, Colleton, \$55.40; D. S. Kennedy, Sheriff, Colleton, \$7,834.72; R. Beasley, Sheriff, Darlington, \$112.32; J. M. Hunter, Sheriff, Darlington, \$3,807.05; W. B. Timmons, Sheriff, Darlington, \$1,621.95; H. Boulware, Sheriff, Edgefield, \$28.61; Jas. Eason, Sheriff, Edgefield, \$12.43; Lewis Jones, Sheriff, Edgefield, \$10; R. E. Ellison, Sheriff, Edgefield, \$10; E. F. Lyles, Sheriff, Fairfield, \$423.21; A. A. McGuinney, Sheriff, Georgetown, \$316.29; George Durant, Sheriff, Georgetown, \$1.97; E. Waterman, Sheriff, Georgetown, \$4,455.23; Q. L. Cooper, Sheriff, Georgetown, \$86.42; D. Sheon, Sheriff, Kershaw, \$159.94; J. Adams, Sheriff, Lancaster, \$6.61; A. J. McManus, Sheriff, Lancaster, \$42.27; N. J. Harmon, Sheriff, Lexington, \$150.63; A. Carmichael, Sheriff, Marion, \$92.35; W. B. Campbell, Sheriff, Marion, \$186.46; J. L. Breeden, Sheriff, Marlboro, \$509.56; N. F. Johnson, Sheriff, Newberry, \$1,584.76; W. W. Houseal, Sheriff, Newberry, \$1,157.20; J. D. Williams, Sheriff, Orangeburg, \$56.20; F. J. Felder, Sheriff, Orangeburg, \$0.74; J. E. Dent, Sheriff, Richland, \$1,250.97; L. M. Gentry, Sheriff, Spartanburg, \$103.11; Joseph Fant, Sheriff, Union, \$461.34; S. Cowan, Sheriff, Williamsburg, \$7; S. McB. Scott, Sheriff, Williamsburg, \$101.77; W. G. Rodgers, Sheriff, Williamsburg, \$495.81; Eliza Smith, annuity, \$30; J. P. Long, Coroner, Horry, \$38.22; S. A. Hodges, Tax Collector, Abbeville, \$4.45; H. S. Cason, Tax Collector, Anderson, \$311.09; W. S. Shaw, Tax Collector, Anderson, \$59.60; J. McD. Hood, Tax Collector, Chester, \$56.52; J. N. Thomas, Tax Collector, Chester, \$1.35; J. S. Miller, Tax Collector, Chesterfield, \$12.39; Joseph Peck, Tax Collector, Clarendon, \$91.20; T. N. Broughton, Tax Collector, Clarendon, \$50.17; J. W. Owens, Tax Collector, Darlington, \$1.24; Eli Odom, Tax Collector, Darlington, \$66.77; Thomas Deen, Tax Collector, Edgefield, \$26.51; H. H. Counts, Tax Collector, Fairfield, \$48.24; H. M. Smith, Tax Collector, Greenville, \$0.66; A. R. McDavid, Tax Collector, Greenville, \$2.10; R. M. Anderson, Tax Collector, Horry, \$1.50; H. Pate, Tax Collector, Kershaw, \$66.35; J. R. Levell, Tax Collector, Newberry, \$12.78; T. H. Wade, Tax Collector, Richland, \$873.14; J. W. Stuckey, Tax Collector, Salem, \$1.48; J. Gantt, Tax Collector, Spartanburg, \$1.16; R. C. Poole, Tax Collector, Spartanburg, \$71.22; J. W. Stuckey, Tax Collector, Sumter, \$60.37; J. M. Faucette, Tax Collector, Union, \$2.29; J. Chandler, Tax Collector, Williamsburg, \$2.11; J. Frierson, Tax Collector, Williamsburg, \$385.90; C. O. Daniel, Tax Collector, York, \$5.32; B. E. Sessions, Tax Collector, All Saints, \$11.99; J. L. Randall, Tax Collector, Orange, \$1.39; E. Waterman, Tax Collector, Prince George's, \$2,251.29; J. A. Wetter, Tax Collector, St. Andrew's, \$54.52; T.

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J. Knight, Tax Collector, St. George's, \$252.71; C. W. Shingler, Tax Collector, St. James, \$123.80; G. W. Seabrook, Tax Collector, St. John's, \$19.50; J. N. Farr, Tax Collector, St. Luke's, \$13.33; J. R. C. Yeadon, Tax Collector, St. Luke's, \$0.54; R. R. Williams, Tax Collector, St. Peter's, \$63.17; W. H. Shaw, War Tax Collector, Anderson, \$109.11; H. H. Counts, War Tax Collector, Fairfield, \$1.95; H. Pate, War Tax Collector, Kershaw, \$54.75; T. H. Wade, War Tax Collector, Richland, \$20.23; D. F. Spigner, War Tax Collector, Orange, \$316; E. Gooding, War Tax Collector, Prince William's, \$10.71; G. W. Seabrook, War Tax Collector, St. John's, \$0.54; W. D. Bowman, War Tax Collector, St. Stephen's, \$75.48; T. G. Buckner, Sheriff, Beaufort, \$38,329.67; James Fuller, Messenger Court Appeals, \$25; W. B. Johnson, Recording Agent, \$300; pensions, annuities, \$120; Quarantine Hospital, Charleston, \$13.76: total, \$94,916.17, be, and the same are hereby, closed, and the Comptroller General and Treasurer are hereby authorized to make such entries on their respective books as may be necessary by reason of this Act.

Certain
credit balances
closed.

SEC. 3. That the balance on the books of the Comptroller General and State Treasurer to the credit of the following persons, prior to the year 1866, the same having been transferred from year to year to the present time, viz: N. G. W. Walker, Sheriff, Barnwell, \$2,791.74; W. W. Ward, Sheriff, Williamsburg, \$55.02; W. S. Brand, Tax Collector, Clarendon, \$2.54; B. S. Cheshire, Tax Collector, Laurens, \$5.14; J. M. Parker, Tax Collector, St. John's, \$1.81; J. J. R. Westcoat, Tax Collector, St. John's, \$3.78; W. B. Hancock, Sheriff, Chesterfield, \$16.50; P. M. Butler, Sheriff, Clarendon, \$92.14; J. Harrelson, Sheriff, Georgetown, \$19.90; E. Barnes, Sheriff, Kershaw, \$4.80; A. Wingo, Sheriff, Spartanburg, \$103.11; N. B. Williams, Tax Collector, Barnwell, \$0.65; S. B. Williams, Tax Collector, Barnwell, \$0.63; C. F. Lesesne, Tax Collector, Clarendon, \$12.19; T. Atkinson, Tax Collector, Darlington, \$4.47; J. F. Craig, Tax Collector, Fairfield, \$5.84; C. P. Dill, Tax Collector, Greenville, \$6.31; Tandy Walker, Tax Collector, Laurens, \$0.95; Hiram Knatt, Tax Collector, Darlington, \$1; M. M. Boyd, Tax Collector, Newberry, \$0.67; J. Bonds, Tax Collector, Newberry, \$2; G. W. Fowler, Tax Collector, Union, \$3.34; R. S. Fant, Tax Collector, Union, \$36; W. J. Deforge, Tax Collector, Williamsburg, \$153.67; J. W. L. Carey, Tax Collector, Pickens, \$880.20; S. G. Henry, Tax Collector, Richland, \$21.88; J. J. Wylie, Tax Collector, York, \$10.02; W. D. Rivers, Tax Collector, Christ Church, \$800.01; Q. L. Cooper, Tax Collector, Prince George, \$50.54; A. H. Dupree, Tax Collector, St. James, \$376.08; W. A. Shu-

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ler, Tax Collector, St. Matthew's, \$4.15; J. D. Perry, Tax Collector, St. Paul's, \$1.86; W. J. Ruskin, Tax Collector, St. Peter's, \$7.23; A. L. Pinckney, Tax Collector, St. Philip's, \$9.96; Eli Odom, War Tax Collector, Darlington, \$1.50; J. R. Hunter, War Tax Collector, Lancaster, \$1.24; J. M. Faucette, War Tax Collector, Union, \$9.50; J. Frierson, War Tax Collector, Williamsburg, \$7.30; J. J. Wylie, War Tax Collector, York, \$3.45; W. A. Shuler, War Tax Collector, St. Matthew's, \$5.77; Simon Fair, Solicitor, \$450; A. G. Magrath, Governor South Carolina, 1862, \$2,625; Governor's Private Secretary, 1862, \$312.50; Governor's Messenger, \$215; J. A. Inglis, Chancellor, \$750; B. F. Dunkin, Chancellor, \$750; Robert Monroe, Judge, \$750; I. W. Hayne, Attorney General, \$550; D. L. Wardlaw, Judge, \$1,500; R. W. Fuller, Messenger Court of Appeals, \$100; J. L. Gant, Clerk Court of Appeals, \$600; Assessor St. Philip's and St. Michael's, \$667.34; W. R. Hunt, Secretary of State, \$100; Physician Charleston Jail, \$375; Physician Magazine Guard, \$500; Port Physician, \$900; J. P. Thomas, Arsenal Keeper, Columbia, \$300; J. B. White, Arsenal Keeper, Charleston, \$1,000; James Tupper, Auditor, \$3,000; Assistants to Auditor, \$5,500; J. R. Niernsee, Commissioner New State House, \$3,000; total, \$29,459.71, be, and the same are hereby, closed, and the Comptroller General and Treasurer are hereby authorized to make such entries on their respective books as may be necessary by reason of this Act.

Approved February 24, 1876.

AN ACT TO INCORPORATE THE TOWN OF JONESVILLE, IN UNION COUNTY. No. 76.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and immediately after the passage of this Act, all and every person or persons whatsoever who are constitutionally qualified to vote for members of the General Assembly of this State, and who may have resided within the corporate limits of the town of Jonesville, in the County of Union, said limits to be hereinafter described, for sixty days, and their successors, are hereby declared to be members of the corporation hereby intended to be created.

Electors.

SEC. 2. That such persons and their successors shall, from and after the passage of this Act, become a body politic and corporate, and shall be known and called by the name of the town of Jonesville,

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Corporate
limits.

Officers.

and its corporate limits shall extend one-half a mile in the direction of the cardinal points from the public pump in said town as a centre and form a square.

Time of hold-
ing election.

SEC. 3. That the said town shall be governed by an Intendant and four Wardens, who shall be elected on the second Monday in April in each year, ten days' previous notice being given, and shall continue in office for one year, and until their successors shall be elected and shall have qualified; and that all male inhabitants of said town who shall have attained the age of twenty-one years and resided therein sixty days previous to the election shall be entitled to vote for said Intendant and Wardens: *Provided*, That the notice of said election shall be given by the Intendant, or Warden acting as Intendant, at the time for all such elections after the first election; and for the first election, to be holden on the second Monday of April, one thousand eight hundred and seventy-six, the notice shall be given by the Clerk of the Court of Common Pleas for Union County, and duly advertised at the said town of Jonesville.

Conduct of.

Managers.

SEC. 4. That said election of Intendant and Wardens for said town shall be held in some convenient public place in said town, from nine o'clock in the morning until four o'clock in the afternoon, and when the polls shall be closed the Managers shall forthwith count the votes, and proclaim the election, and give notice in writing to the persons elected. The Intendant and Wardens for the time being shall always appoint three Managers to conduct the election, who, before they open the polls for said election, shall take an oath fairly and impartially to conduct the same; and the Intendant and Wardens, before entering upon the duties of their offices, shall respectively take the oath prescribed by the Constitution of this State, and also the following oath, to wit: "As Intendant (or Warden) of the town of Jonesville, I will equally and impartially, to the best of my ability, execute the trust reposed in me, and will use my best endeavors to preserve the peace and carry into effect, according to law, the purposes for which I have been elected: So help me God." Said oath to be administered by any person duly qualified, according to law, to administer oaths: *Provided*, That at the first election the Managers thereof shall be appointed and sworn by the Clerk of the Court of Common Pleas for Union County.

Oath of offi-
cers.

Vacancies.

SEC. 5. That in case of any vacancy in the office of Intendant or any of the Wardens by death, removal, resignation or otherwise, an election shall be held by the appointment of the remaining officers who have been previously elected at the election for Intendant and Wardens, which election to fill such vacancy shall be ordered, managed and declared, and the persons elected qualified, in all respects, as provided for the regular annual election, and the person elected

shall hold his office for the unexpired term, and until the next ensuing annual election, and until his successor is elected and qualified; and in case of the absence of the Intendant, from sickness or other temporary cause, the Wardens, forming a Council, shall be empowered to elect one of the Wardens to act as Intendant during the time.

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SEC. 6. The duties, powers, privileges and jurisdiction of the said Intendant and Wardens of the town of Jonesville shall be the same in all respects, and in every particular, as the duties, powers, privileges and jurisdiction of the Intendant and Wardens of the town of Union, as set out and prescribed in an Act entitled "An Act to amend the charter of the town of Union," approved January 8th, 1872, which Act is hereby declared and adopted as the charter of the town of Jonesville in all particulars that are not supplied by this Act.

Charter of
town of Union
to apply to.

Approved February 24, 1876.

AN ACT TO ALTER AND AMEND THE CHARTER OF THE TOWN
OF SPARTANBURG.

No. 77.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Town Council of the town of Spartanburg shall have full power and authority to open new streets in said town, and to close up, widen or otherwise alter those now in use, or which may hereafter be established, whenever, in their judgment, the same may be necessary for the improvement or convenience of said town: *Provided*, That they shall first pay damages, should any be claimed, to the land owner or owners through or adjoining whose premises such street or streets may run; said damages to be fixed and determined by five freeholders of said town, two of whom shall be chosen by the said Town Council, two by said land owner or owners, and the fifth by the persons so chosen, and who, before assessing said damages, shall be sworn to do impartial justice between said town of Spartanburg and said land owner or owners: *And provided, further*, That should such land owner or owners refuse or neglect, after ten days' notice from said Town Council, to nominate two freeholders for the purpose above indicated, then the said Town Council may appoint the same, who shall proceed as if appointed by said land owner or owners; and in all cases the judgment of the said five freeholders shall be a final determination of the matter.

Town Council
to open certain
streets.

Assessment of
damages to
property hold-
ers.

A. D. 1876.

Erection of
wooden build-
ings.

SEC. 2. The said Town Council shall have full power to prohibit the erection of any wooden Building or buildings, or wooden roof building or buildings, within one hundred yards of the public square of said town; and to require that all buildings hereafter erected within one hundred yards of the public square of said town shall be made fire-proof.

Board of
Health.

SEC. 3. The said Town Council shall have full power and authority to appoint a Board of Health for said town, and to pass all such ordinances as may be necessary to define the powers and duties of said Board, and to impose fines and penalties upon the members of said Board for neglect of duty.

Fire depart-
ment.Tax for the
purpose.

SEC. 4. The said Town Council is hereby fully authorized and empowered to organize and equip a fire department for said town, and for that purpose to levy and collect a tax on all taxable property within the corporate limits of said town, not to exceed two mills on the dollar of the value of such taxable property; said tax of two mills to be levied and collected in one year or distributed in a series of years as said Town Council may deem best: *Provided*, The consent of a majority of the qualified voters of said town be first obtained therefor, at an election to be held for that purpose, of which due and timely notice shall be given through one or more of the newspapers published in said town.

Public scales
and scale
houses.Public Weigh-
ers.Public scales
to be the stand-
ard for the
town.

SEC. 5. That the said Intendant and Wardens of the town of Spartanburg are hereby authorized and empowered to establish and keep up one or more public scales or scale houses, with proper scales and weights for weighing cotton and other articles sold by weight in the said town, by and at the expense of the said town. That the said Intendant and Wardens be, and are hereby, authorized to appoint one or more public weighers, who shall be sworn by said Intendant faithfully to perform the duties of said office, and who shall be removable for misconduct or incompetency by said Intendant and Wardens; and where reference is had to any of the public scales used by said weighers by the authority of said Intendant and Wardens on the same day that the contract of sale is made, the certificate of the weigher shall be conclusive evidence of the weight of the cotton or any other article sold by weight in any Court of justice in which an action shall be pending touching the weight of such articles; and the said Intendant and Wardens are hereby authorized to assess a sum not exceeding ten (10) cents on each bale of cotton, and a proportionate sum on other articles weighed, to be paid by the seller for the use of said town. That the public scales and weights established in pursuance of this Act shall be the standard to which all others in said town shall conform; and if any person shall use, in weighing any article whatsoever sold in said town, weights and scales differing from the said standard, such

person, on conviction in the Court of Sessions for Spartanburg County, shall be fined and imprisoned at the discretion of the Court.

A. D. 1876.

SEC. 6. That Section five (5) of an Act entitled "An Act to renew and amend the charter of the town of Spartanburg," ratified on the 11th day of February, A. D. 1871, be, and the same is hereby, amended by inserting after the word "town," on the sixty-first (61) line of said Section, the following: "And whenever the said Town Council shall impose a fine upon a party convicted of an offense who shall refuse, fail or be unable to pay the same, the said Town Council shall have power and authority to commute the sentence of such person to that of labor on the public streets of said town for a period not exceeding ten days."

Fines for offenses committed.

SEC. 7. That so much of an Act entitled "An Act to renew and amend the charter of the town of Spartanburg," ratified the 11th day of February, A. D. 1871, as is inconsistent with or conflicts with this Act be, and the same is hereby, repealed.

Approved February 24, 1876.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT DECLARING A TRACT OF ONE HUNDRED ACRES OF LAND IN THE COUNTY OF FAIRFIELD AS ESCHEATED TO THE STATE, AND TO VEST THE TITLE TO THE SAME IN THE TRUSTEES OF RIDGEWAY ACADEMY."

No. 78.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 2 be amended by striking out, on second line, "S. M. Smart, Moses James and Wyatt Boulware," and inserting "The School Trustees of Township Eight;" striking out, on line three, the words "as Trustees of Ridgeway Academy," so that the Section may read: "SECTION 2. That the title of the State to said one hundred acres of land be, and the same is hereby, vested in the School Trustees of Township Eight and their successors in office." That Section three be amended by inserting, on third line, after the word "place," the following: "to be used as a free school."

Title vested in certain Trustees.

For use as a free school.

Approved February 24, 1876.

A. D. 1876.

No. 79.

AN ACT TO AMEND THE CHARTER OF THE CHARLESTON PUBLISHING COMPANY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Capital stock. charter of the Charleston Publishing Company be so amended as to fix the minimum amount of its capital at the sum of twenty thousand dollars.

SEC. 2. That the said company shall have the power of increasing its capital, by *bona fide* subscriptions, from time to time, to an amount not exceeding in the whole one hundred thousand dollars. Subscriptions thereto.

SEC. 3. That so soon as the full amount of twenty thousand dollars of capital stock has been subscribed and paid in, the said corporation may proceed to business.

SEC. 4. That the liability of the stockholders over and above the amount of the stock held by each of them respectively, shall cease and determine so soon as all of the said capital of twenty thousand dollars shall have been subscribed and paid in. Liability of stockholders.

Approved February 24, 1876.

No. 80. AN ACT TO AMEND THE CHARTER OF THE TOWN OF PENDLETON.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 5 of an Act entitled "An Act to alter and amend the charter of the town of Pendleton," approved March 10th, 1872, be amended by adding to said Section the following: "And when, by authority of the said Town Council, in the exercise of the powers and duties above conferred, punishment is inflicted by imprisonment, such imprisonment shall be suffered in the guard house of the said town of Pendleton: *Provided*, Such imprisonment shall not exceed ten days." Mode of punishment for offenses committed.

SEC. 2. And the said charter is further amended by conferring upon the Town Council of the said town of Pendleton the same powers and privileges as are conferred upon the Town Council of the town of Anderson in an Act to amend Section 6 of an Act entitled "An Act to renew and amend the charter of the town of Anderson," approved March 26th, 1875. Charter of the town of Anderson to apply to.

Approved February 24, 1876.

AN ACT TO AUTHORIZE THE TRUSTEES OF A CERTAIN LOT IN THE CITY OF CHARLESTON, KNOWN AS THE "QUAKERS' LOT," TO SELL THE SAME, AND APPROPRIATE THE PROCEEDS AND THE FUNDS IN THEIR HANDS FOR THE USE OF MEETINGS OF THE SOCIETY OF FRIENDS, COMMONLY CALLED "QUAKERS," IN ANY PART OF THE UNITED STATES.

A. D. 1876.

No. 81.

Whereas, by an order of George the Second, King of Great Britain, issued to Robert Johnson, Governor of South Carolina, a grant was made by him, in the year 1731, to Thomas Kimberly, his heirs and assign, for all that parcel or tract of land, containing one rood and twenty-nine perches, situated on King street, in the city of Charleston, known as the "Quakers' Lot;" and whereas Thomas Kimberly, being so seized of said lot, granted it to John Witler, Joseph Shute and Robert Flemming, their heirs and assigns, forever, on the following terms, viz.: "That they should stand possessed of the said tract of land, together with the said grant thereof, to the use and benefit of all that sect of people commonly called "Quakers" residing in Charleston, or in any other part of this province, to the intent that the said tract of land shall be appropriated as a place or spot of ground whereon a meeting house shall be erected and built for the general use of all the said people called "Quakers," and to and for no other use, intent or purpose whatsoever; and whereas for many years past there have been none of said people called "Quakers" residing in Charleston, nor in any part of South Carolina, except one family temporarily residing in a remote part of the State, while there are many meetings of said people in other parts of the United States which might be much benefitted by the proceeds of the sale of the said lot; and whereas the trustees now seized of the said property, with the approbation and direction of the meeting of said society which appointed them, have petitioned for an Act authorizing them to make sale of said lot, and appropriate the proceeds of the sale thereof for the use of meetings of said society elsewhere at the discretion of said meeting and trustees; now, therefore,

Preamble.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That it shall be lawful for Charles Evans, Joseph Scattergood, Samuel Morris, Joseph Walton, Benjamin W. Passmore, Jonathan E. Rhodes and Charles J. Allen, the trustees who now stand seized of said piece of land, or the survivors or survivor of them, or their successors in office, their survivors or survivor, to sell the whole or any part of said lot of land, bounded and described as follows, viz.: on the north by land now or late of

Trustees to sell.

A. D. 1876.

To convey
free from trusts
or incumbrances.

Rachel Sparks, Mary Robinson and Joseph Sass, on the east by land now or late of the estate of Plowdon Weston, deceased, on the south by land now or late of the estate of Daniel Hall and Simeon Thees, and on the west by King street, being sixty-three feet six inches in front on said King street, two hundred and forty-one feet six inches on the north line, eighty-eight feet four inches on the east line, and two hundred and forty-seven feet six inches on the south line. And they are hereby authorized to convey the same in fee simple to such party or parties who may purchase the same clear and free from any trust or incumbrance whatever which has existed or may exist against it, and without the purchaser being liable to see to the application of the purchase money; and, further, it shall be lawful for said trustees, by and with consent of the meeting representing the yearly meeting of the religious society of Friends, commonly called "Quakers," for Pennsylvania and parts adjacent, held in Philadelphia, known by the name of the "Meeting for Sufferings," which has long had the care and control of said property and the appointing of trustees therefor, to appropriate the proceeds of such sale or sales, and all or any funds in the hands of said trustees, and derived from the rents of said estate, or any part of the same, or any income which has accrued or may hereafter accrue from the same, for building, furnishing or repairing meeting houses and the appurtenances belonging to the Society of Friends, commonly called "Quakers," wherever the same may be located in the United States, or for any other similar use or uses; and for this purpose the said trustees and their successors, or the survivors or survivor of them, and the said "Meeting for Sufferings" are hereby vested with a discretionary power of directing the application of the proceeds of the sale of said lot, or any part thereof, and the funds belonging to said trust estate, in such manner and way as shall seem to the said trustees and said meeting will be best calculated to answer the beneficial purposes of this Act.

Application
of proceeds.

Approved February 24, 1876.

No. 82. AN ACT TO ALTER AND AMEND AN ACT ENTITLED "AN ACT TO AMEND AND RENEW THE CHARTER OF THE TOWN OF ABBEVILLE."

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 2 of an Act entitled

Corporate
limits to ex-
tend one mile.

"An Act to amend and renew the charter of the town of Abbe-

ville," approved March 17, 1875, be, and the same is hereby, altered and amended by striking out all after the word "quarter," occurring in the fifth line, and inserting in lieu thereof the following words: "On all the public roads leading into the town of Abbeville," so that the fifth and sixth lines of said Section 2 shall read as follows: "On all the public roads leading into the town of Abbeville."

A. D. 1876.

Approved February 24, 1876.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE CERTAIN TOWNS AND VILLAGES, AND TO RENEW AND AMEND CERTAIN CHARTERS HERETOFORE GRANTED."

No. 83.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 20 of an Act entitled "An Act to incorporate certain towns and villages, and to renew and amend certain charters heretofore granted," ratified the 22d day of December, A. D. 1859, be, and the same is hereby, amended by striking out the words "one-third of," in the fourth line thereof, and the words "free white," in the first line, and the substitution of the words "sixty days" for the words "six months," in the first line thereof.

Corporate limits.

Qualification of electors.

Approved February 24, 1876.

AN ACT TO ESTABLISH A FERRY ACROSS THE NORTH SANTEE RIVER, IN THE COUNTY OF GEORGETOWN, S. C.

No. 84.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That a public ferry be, and is hereby, established and chartered, to reach across the North Santee River, in Georgetown County, at Crow Hill, and that the said ferry be vested in W. J. Lucas, A. G. Jones and Joseph Bush, for a term of fifteen years, and vested with all power to charge and collect the usual toll prescribed by law: *Provided*, That all children going to and returning from school, and voters going to and returning from elections, militia going to and returning from muster, and all licensed clergymen, be passed free of toll.

Vested in W. J. Lucas et al.

Persons exempt from toll.

SEC. 2. All Acts and parts of Acts conflicting with the provisions of this Act be, and the same are hereby, repealed.

Approved March 2, 1876.

A. D. 1876.

No. 85.

AN ACT TO INCORPORATE THE TOWN OF LIBERTY, IN THE
COUNTY OF PICKENS.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act, all citizens of this State who have resided thirty days in the town of Liberty shall be deemed, and are hereby declared to be, a body politic and corporate; and the said town shall be called and known by the name of Liberty, and its corporate limits shall extend three-quarters of a mile from the Air-Line Railroad Depot, at said place, in directions due north, south, east and west, and shall include a square formed upon the extremities of lines so drawn.

Corporate
limits.

Officers.

Time of hold-
ing election.Managers of
election.

SEC. 2. That said town shall be governed by an Intendant and four Wardens, who shall be citizens of the United States, and shall have been residents of the said town for sixty days immediately preceding their election, and who shall be elected by the qualified voters of the said town on the third Monday in March in 1876, and on the same day in every year thereafter, ten days' public notice being previously given; and that all the male inhabitants of the age of twenty-one years, citizens of this State, who shall have resided in said town for sixty days immediately preceding the election, shall be entitled to vote for the said Intendant and Wardens. For the purpose of holding the first election under this Act, the Clerk of the Court of Common Pleas of Pickens County shall designate three suitable persons, citizens of said town, to act as Managers of the election; and that the Intendant and Wardens for the time being shall annually appoint Managers to conduct each ensuing election.

Charter of
Ninety-Six to
apply to.

SEC. 3. That the said corporation shall have the same powers and privileges and be subject, in every respect, to the provisions of the charter granted to the town of Ninety-Six by an Act entitled "An Act to incorporate the town of Ninety-Six," approved March 13, 1872.

SEC. 4. That this Act shall be deemed a public Act, and continue in force until repealed.

Approved March 2, 1876.

AN ACT TO AUTHORIZE AND REQUIRE THE BOARD OF JURY COMMISSIONERS OF GEORGETOWN COUNTY TO PREPARE A NEW JURY LIST, AND TO DRAW JURORS FOR THE YEAR EIGHTEEN HUNDRED AND SEVENTY-SIX.

A. D. 1876.

No. 86.

Whereas at the February Term of the Circuit Court for Georgetown County, His Honor Judge Shaw, of the Third Circuit, held that there was no legal jury list prepared for the year (1876) eighteen hundred and seventy-six for the said County, and discharged the grand and petit jurors that had been drawn for the present year; therefore,

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Board of Jury Commissioners, or a majority of them, of the County of Georgetown be, and they are hereby, authorized and directed, within thirty days after the passage of this Act, to prepare a jury list for the year one thousand eight hundred and seventy-six for the County of Georgetown, and the names so placed upon said list to be placed into jury box in the manner now prescribed by law.

Jury Com-
missioners to
prepare new
list.

SEC. 2. That the first eighteen names drawn from the jury box prepared under this Act shall constitute the grand jury of the said County of Georgetown for the balance of the present year.

Grand jury.

SEC. 3. That not later than seven days nor earlier than fifteen days before the meeting of the first regular term of the Court for said County after the passage of this Act, it shall be the duty of the Board of Jury Commissioners, or any two of them, to draw the necessary jurors for the Court.

Time of draw-
ing juries.

Approved March 2, 1876.

AN ACT TO AMEND SECTION 1 OF AN ACT ENTITLED "AN ACT TO INCORPORATE THE TOWN OF WESTMINSTER, IN THE COUNTY OF OCONEE," APPROVED MARCH 17, 1875.

No. 87.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 1 of an Act entitled "An Act to incorporate the town of Westminster, in the County of Oconee," be, and the same is hereby, amended, by striking out the words "three-quarters" in the eighth line of said Section, and inserting in place thereof the words "one-fourth," so that the corporate limits of the said town shall extend one-fourth of one mile

Corporate
limits.

A. D. 1876. from the point of crossing of Main and Broad streets, in a direction due north, east, south and west, and shall include a square formed upon the extremities of lines so drawn.

Approved March 2, 1876.

No. 88. AN ACT TO INCORPORATE THE PEOPLE'S SAVINGS BANK, OF SUMTER, S. C.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That J. S. G. Richardson, F. J. Moses, D. J. Winn, W. G. Kennedy, T. J. Toumey, J. H. Ferriter, W. H. Epperson, A. J. China, J. M. Tindall, F. J. Moses, Sr., together with such other persons as are now or may hereafter be associated with them, shall be, and they are hereby, constituted and made a body politic and corporate, by the name of "The People's Savings Bank, of Sumter, S. C.," with their office in the town of Sumter: *Provided*, That the capital stock of said bank shall not exceed the sum of two hundred thousand dollars: *And provided, further*, That this Act shall not have the force of law until twenty thousand dollars of the capital stock of said bank shall have been paid in and satisfactory evidence furnished to the Comptroller General.

SEC. 2. The said corporation shall have power and authority to receive deposits and to invest the same, their capital stock and other funds, in bank or other stocks, in the purchase of bonds or stock of this or any other State of the United States, to buy and sell gold and silver, to lend money on unencumbered real estate in amounts not beyond sixty per cent. of its actual value; and the said corporation shall have power and authority to have, use and keep a common seal, and the same to alter at will; to sue and be sued, to plead and be impleaded, in any Court of law or equity in this State, and to have and enjoy all and every right, privilege, power and franchise incident and belonging to incorporated bodies; and shall be capable of taking, holding and disposing of their capital stock according to such rules and regulations as they shall from time to time establish, and also taking, holding, dividing, disposing of or investing the increase, profits or emoluments of their said capital stock; and shall have the right and power to acquire, purchase, take and hold, in their corporate name, lands and real estate, and the same to demise, grant, sell, assign, exchange and convey in fee simple or otherwise.

SEC. 3. The business and property of such corporation shall be managed and controlled, and the President, Cashier, Directors and all other officers of the bank appointed, by the stockholders; and the said stockholders shall have power and authority to make rules and by-laws not repugnant to the laws of the land, and to modify and amend such rules and by-laws at pleasure. Regular meetings of the stockholders shall be held on the first Tuesdays of January and July in each year, at 10 o'clock A. M., at the office of such corporation, in the town of Sumter, and special meetings shall be held whenever called for by the holders of at least one-third of the shares of the capital stock: *Provided*, That a notice, signed by the stockholder or stockholders calling said meeting, be advertised in a newspaper published in the town of Sumter at least one week prior to the time of such proposed meeting. A representation of a majority of the entire stock by the holders or their proxies shall be requisite to constitute a quorum at any and all meetings of the stockholders; and at all such meetings each share shall entitle its holder to one vote. Absent stockholders may vote by agents or proxies producing proper written authority therefor. The said stockholders shall, at the first meeting when a quorum is present, elect twelve Directors, and such other officers as they may deem necessary, they to hold office for twelve months, unless removed in the meantime or their successors appointed by said stockholders.

A. D. 1876.

Officers.

Meetings.

Quorum.

Election of
Directors.

SEC. 4. The said corporators shall have full power to enforce upon their members the due observance of all rules and by-laws for the good government and management of the affairs of the said corporation, and for the increase of the capital stock of the same, under such penalties as in and by the said rules and by-laws shall be limited and appointed; and to this end, if need be, shall and may institute and maintain, in their corporate name, against any one or more of their number, all the necessary suits, actions and pleas, either at law or in equity, for the recovery of any sum or sums of money to the use of the said corporation, in as ample a manner as such suits might be maintained against persons not members of said corporation.

General pow-
ers.

SEC. 5. The liabilities of Directors and stockholders shall be restricted to the stock held by them respectively. No Director or officer of said corporation shall borrow or use any portion of the funds thereof, be surety for loans to others, or in any manner, directly or indirectly, be an obligor for money borrowed of or loaned by the corporation.

Liability of
stockholders.

SEC. 6. No loan of money shall be made by said corporation to any stockholder owning more than four shares therein; and if any such loan is made to such stockholder, the officers who make it, or

Loans of mo-
ney.

A. D. 1876.

assent thereto, shall be jointly and severally liable to the extent of such loan and interest for all the debts of the corporation contracted before the repayment of the sum so loaned. The said corporation shall have power to buy and sell exchange, and to loan money on notes or drafts, secured by good collateral security.

Deposits.

SEC. 7. When any deposit is made by a person being a minor, the said corporation shall pay to such depositor such sums as may be due him, whether he has a guardian or not.

SEC. 8. This Act shall be deemed a public Act, and shall be judicially taken notice of without special pleading, and the charter hereby granted shall continue and be in force thirty years.

Approved March 2, 1876.

- No. 89. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO REQUIRE THE COUNTY TREASURER OF PICKENS COUNTY TO ATTEND AT SUNDRY PLACES IN SAID COUNTY FOR THE COLLECTION OF TAXES."

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 1 of an Act entitled "An Act to require the County Treasurer of Pickens County to attend at sundry places in said County for the collection of taxes," approved March 26, 1875, be, and the same is hereby, amended by striking out the words "Abner Odell's" and "Howard's Shop," occurring on the sixth and seventh lines, and inserting in lieu thereof the words "Town of Liberty" and "Jasper Herd's."

Approved March 2, 1876.

- No. 90. AN ACT TO CHARTER THE SOUTH ATLANTIC RAILROAD COMPANY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Wm. Johnstone, James Anderson, A. R. Shepard, Wm. Keeney, R. H. Richard, J. J. McLure, Allen Macauley, S. A. Pearce, T. B. Johnstone, John M. Mackay, Wm. Murdoch, A. Campbell, Henry Birch, D. Macauley, John B. Palmer, J. M. Anderson, J. P. Low, and their successors and assigns, are hereby declared to be a body

Corporators.

corporate and politic, under the name and style of the South Atlantic Railroad Company, for the purpose of establishing a railroad from Spring Island, or any point on Colleton River, to intersect and cross the Charleston and Savannah Railroad, and to intersect and cross the Port Royal Railroad, and to intersect and cross the South Carolina Railroad at some point near Aiken, and to intersect and cross the Charlotte, Columbia and Augusta Railroad at some point in Edgefield County, and to intersect and cross the Greenville and Columbia Railroad at or between Alston and Ninety-Six, and thence to the North Carolina line, by the most practicable route or routes, with the further privilege of running said road to the Savannah River, in the direction of Millen and Macon, in the State of Georgia.

A. D. 1876.

Corporate name.

Line of road.

SEC. 2. The capital stock of the said company shall be one million dollars, with the privilege of increasing the same to three million dollars, to be divided into shares of one hundred dollars each.

Capital stock.

SEC. 3. That said corporators shall, within thirty days after the passage of this Act, open books of subscription to the capital stock of said company, at such places in Beaufort County and in the city of Columbia as they shall appoint, of which ten days' notice shall be given in one of the newspapers in the County of Beaufort and in the city of Columbia; and said books shall remain open for thirty days to receive said subscriptions.

Subscriptions to capital stock

SEC. 4. That when one thousand shares of said stock shall be subscribed and paid in, the aforesaid corporators, or a majority of them, may call a meeting of the stockholders by advertising for ten days in each of the newspapers aforesaid, and proceed to make such by-laws, ordinances and regulations for the government of said corporation as are consistent with this Act and the laws and Constitution of this State and of the United States, and to elect a President and not less than seven nor more than fifteen Directors, who shall serve for the term of twelve months, and until others shall be chosen; and the election of Directors, Secretary and Treasurer shall be conducted in accordance with the by-laws or regulations made by a majority of the stockholders, who may vote either in person or by proxy; and all elections shall be by ballot; and each share of stock on which all installments due have been paid shall entitle the holder to one vote; and upon the completion of the organization of said company the work of constructing said railway may be commenced; and the said company shall have power to mortgage its property and franchises, and issue bonds at such rates of interest, and upon such terms and conditions, and for such uses and purposes of said corporation as the majority of the stockholders may deem expedient.

Organisation.

Election of officers.

May issue bonds.

A. D. 1876.

Right of way.

SEC. 5. That in the location of said railroad the said corporators, or their successors in office, shall have the right to enter upon and possess any land or lands not exceeding one hundred feet on each side from the centre of said road-bed, on condition that said land or lands are donated or made as a subscription to the capital stock of said company, or are purchased by said company; and in case of any disagreement between the owners of lands through which said road may pass and the aforesaid corporators or their successors, as to a fair price for the right of way for said railroad, said price shall be determined by three freeholders, one selected by said company, the other by the owner of the land, and these two to select a third, and the price so fixed shall be deemed a full and complete satisfaction for said right of way.

SEC. 6. That the said company shall have the right to build bridges across navigable rivers: *Provided*, They shall put in good and sufficient draws.

May consolidate with other roads.

SEC. 7. That said company shall have the right to build such turn-outs and stations along the line of said road as may be deemed necessary, and may co-operate or consolidate with such road or roads as may be chartered by the State of Georgia, forming but one corporation, at their discretion; and they may consolidate with any road or roads now built or that may hereafter be built in the State of South Carolina, upon such terms as may be mutually agreed upon between the companies.

SEC. 8. The individual liability of the stockholders of the company shall be for the amount of stock actually subscribed, and no more.

SEC. 9. That nothing herein contained shall be construed as to exempt the company from the payment of taxes.

SEC. 10. That this Act be deemed a public Act, and shall continue in force for the term of fifty years.

SEC. 11. All Acts or parts of Acts in conflict with the provisions of this Act are hereby repealed.

Approved March 2, 1876.

No. 91. AN ACT TO REPEAL AN ACT ENTITLED "AN ACT TO REQUIRE THE COUNTY TREASURER OF DARLINGTON TO ATTEND AT SUNDRY PLACES OTHER THAN THE TOWN OF DARLINGTON FOR THE COLLECTION OF TAXES."

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly,

and by the authority of the same, That an Act entitled "An Act to require the County Treasurer of Darlington to attend at sundry places other than the town of Darlington for the collection of taxes" be, and the same is hereby, repealed. A. D. 1876.

Approved March 2, 1876.

AN ACT TO CHANGE THE NAMES OF WADE HAMPTON BOW-
LWARE AND THOMAS BOWLWARE TO WADE HAMPTON TAYLOR
AND THOMAS TAYLOR, AND MAKE THEM THE LAWFUL HEIRS
OF EDWARD TAYLOR. No. 92.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the names of Wade Hampton Bowlware and Thomas Bowlware be, and they are hereby, changed to that of Wade Hampton Taylor and Thomas Taylor, and that they be hereafter considered the lawful heirs of Edward Taylor. Wade Hampton Bowlware—
name changed
to Taylor.

Approved March 2, 1876.

AN ACT TO AUTHORIZE AND REQUIRE THE COUNTY COM-
MISSIONERS OF SPARTANBURG COUNTY TO OPEN AND ESTABLISH A
PUBLIC ROAD IN SAID COUNTY. No. 93.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of the County of Spartanburg be, and they are hereby, authorized and required to open, establish and keep in repair a public road leading from Duncan's Crossing, on the Air Line Railway, in said County, the most direct and practicable route, to the village of Reidville.

Approved March 2, 1876.

A. D. 1876.

No. 94.

AN ACT TO APPORTION THE REPRESENTATION OF THE COUNTIES
IN THE GENERAL ASSEMBLY IN ACCORDANCE WITH THE RE-
QUIREMENTS OF THE STATE CONSTITUTION.

Preamble.

Whereas the Constitution of South Carolina, Article II, Section 4, requires that representation in the General Assembly shall be apportioned among the several Counties of the State at the present session thereof; and whereas Section 6 of the said Article II of the Constitution provides that the census return of inhabitants, A. D. 1875, shall be the basis of representation, dividing the number thereby found in each County by one one-hundred-and-twenty-fourth of the total population of the State, as determined by the same census, and supplying on the basis of the greatest fractions so arising all vacancies thereby left in the membership of the House; therefore,

Apportion-
ment of Repre-
sentation.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the several Counties shall, at the session of the General Assembly next following the first general election after the passage of this Act, and thereafter until the same shall be repealed, be entitled to Representatives as follows: Abbeville, 5; Aiken, 4; Anderson, 4; Barnwell, 5; Beaufort, 6; Charleston, 17; Chester, 3; Chesterfield, 2; Clarendon, 2; Colleton, 5; Darlington, 4; Edgefield, 5; Fairfield, 3; Georgetown, 2; Greenville, 4; Horry, 2; Kershaw, 3; Lancaster, 2; Laurens, 3; Lexington, 2; Marion, 4; Marlboro, 2; Newberry, 3; Oconee, 2; Orangeburg, 5; Pickens, 2; Richland, 5; Spartanburg, 4; Sumter, 4; Union, 3; Williamsburg, 3; York, 4.

Approved March 2, 1876.

No. 95. AN ACT TO CHANGE THE TIME FOR DRAWING THE JURIES IN
CHESTERFIELD COUNTY.

Jury to be
drawn in De-
cember instead
of January.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Board of Jury Commissioners for Chesterfield County shall hereafter, during the month of December, instead of during the month of January as heretofore, prepare the list and draw the juries under the same regulations and restrictions as prescribed in an Act to regulate the manner of drawing juries, approved March 10, 1871.

SEC. 2. All Acts or parts of Acts in conflict with this Act be, and the same are hereby, repealed. A. D. 1876.

Approved March 2, 1876.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO GRANT, RE-
NEW AND AMEND THE CHARTERS OF CERTAIN TOWNS AND
VILLAGES HEREIN MENTIONED," AND FOR OTHER PURPOSES,
RELATING TO THE TOWN OF NEWBERRY. No. 96.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 31 of an Act entitled "An Act to grant, renew and amend the charters of certain towns and villages herein mentioned," approved February 26, 1870, be, and the same is hereby, amended by striking out the words "first Tuesday in November," occurring on the third line, and inserting in lieu thereof the words "second Tuesday in, January." Time of holding election.

SEC. 2. That the Intendant and Wardens elected at the last election for Intendant and Wardens of said town shall hold and discharge the duties of their respective offices until their successors shall have been duly elected and qualified. Intendant and Wardens to hold over.

Approved March 2, 1876.

AN ACT TO FIX THE TIME OF HOLDING THE CIRCUIT COURTS IN
THE COUNTIES OF WILLIAMSBURG AND GEORGETOWN. No. 97.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act the Circuit Courts in the Counties of Williamsburg and Georgetown shall be held as follows:

1st. The Court of General Sessions shall be held at Kingstree, for the County of Williamsburg, on the first Monday after the fourth Monday of January, May and October; and the Court of Common Pleas shall be held at Kingstree, for the County of Williamsburg, on the second Monday after the fourth Monday in January, May and October. Court:—Williamsburg—time of holding

2d. The Court of General Sessions at Georgetown, for the County of Georgetown, on the third Monday after the fourth Monday of January, May and October; and the Court of Common Pleas at Georgetown.

A. D. 1876.

Georgetown, for the County of Georgetown, on the first Wednesday after the third Monday after the fourth Monday of January, May and October.

Return of
writs, sum-
mons, &c.

SEC. 2. That all writs, summons, recognizances, and other processes of whatever kind, returnable to the Courts of General Sessions and Common Pleas in the Counties above named, be, and the same are hereby, made returnable to the Courts held in pursuance of the provisions of this Act in the same manner as if they had been issued or taken in reference thereto.

SEC. 3. That all Acts or parts of Acts inconsistent with this Act, or repugnant thereto, be, and the same are hereby, repealed.

• Approved March 2, 1876.

No. 98. AN ACT TO CHANGE THE NAME OF MATTIE AGNES KOON TO MATTIE AGNES HOWARD, AND TO CONFER TO HER THE RIGHT OF LEGITIMACY.

Mattie Agnes
Koon legitim-
ized.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the child begotten of the body of Lee Ann Koon by James H. Howard, named Mattie Agnes, be called hereafter Mattie Agnes Howard, and that she be invested with all the rights and privileges of legitimacy, in the same manner and to the same extent as if she had been born in lawful wedlock.

SEC. 2. All Acts or parts of Acts conflicting with the provisions of this Act are hereby repealed.

Approved March 2, 1876.

No. 99. AN ACT TO MAKE CARRIE L. REED THE LAWFUL HEIR OF SAMUEL A. HUTCHINSON, AND TO CHANGE HER NAME TO CARRIE L. HUTCHINSON.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Carrie L. Reed be, and she is hereby declared to be, the lawful heir of Samuel A. Hutchinson, and that the name of the said Carrie L. Reed is hereby changed to Carrie L. Hutchinson.

Approved March 2, 1876.

AN ACT TO PROVIDE THAT ALL PAYMENTS BY THE STATE TREASURER, EXCEPT FOR INTEREST ON THE PUBLIC DEBT AND PAY OF MEMBERS, OFFICERS AND EMPLOYEES OF THE GENERAL ASSEMBLY, SHALL BE MADE ON WARRANTS DRAWN BY THE COMPTROLLER GENERAL.

A. D. 1876.

No. 100.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all payments by the State Treasurer, except for interest on the public debt and the pay of members, officers and employees of the General Assembly, shall be made on warrants drawn by the Comptroller General, and the vouchers for the claims shall be filed in his office.

Payments by
State Treas-
urer, how made.

SEC. 2. That all Acts and parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved March 2, 1876.

AN ACT TO INCORPORATE THE BANK OF SENECA.

No. 101.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That John Reed, A. W. Thompson, G. I. Green, P. H. Kirkland, together with such other persons as are now or may hereafter be associated with them, shall be, and they are hereby, constituted and made a body politic and corporate, by the name and style of the Bank of Seneca, to be located at Seneca City, County of Oconee, and by that name and style shall be, and are hereby, made capable in law to have, hold and exercise the same rights, franchises and privileges granted to the Walhalla Bank by Act of the General Assembly approved March 10th, 1875.

Corporators.

Corporate
name.

Charter of
Walhalla Bank
to apply to.

SEC. 2. That this Act shall be in force from and after its passage.

Approved March 2, 1876.

AN ACT TO AUTHORIZE AND EMPOWER CYRUS JOYNER TO ERECT AND MAINTAIN GATES ACROSS McCORD FERRY ROAD, IN RICHLAND COUNTY. No. 102.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly,

A. D. 1876. and by the authority of the same, That Cyrus Joyner be, and he is hereby, authorized and empowered to erect and maintain gates across McCord Ferry Road, in Richland County, at or near a point designated by a mile post erected thereat and numbered twenty-eight, (28,) and designating the number of miles from the city of Columbia: *Provided*, That said gates shall always be kept in good repair, and constructed in such manner as will afford the least trouble in passing the same.

Location of gates.

Approved March 2, 1876.

No. 103. AN ACT TO PERMIT A. A. BARRON TO ERECT A GATE ACROSS A PUBLIC ROAD IN YORK COUNTY.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That A. A. Barron be, and he is hereby, authorized and empowered to erect and maintain a gate across the public road leading from Yorkville, South Carolina, to Charlotte, North Carolina: *Provided*, That said gate shall always be kept in good repair and constructed in such manner as will afford the least trouble in passing the same.

Approved March 2, 1876.

No. 104. AN ACT TO PROVIDE AN UNIFORM REGISTRY LAW FOR ALL DEEDS AND OTHER INSTRUMENTS IN WRITING REQUIRED TO BE RECORDED.

Specification of deeds requiring registry.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all deeds of conveyance of lands, tenements or hereditaments, either in fee simple or for life; all deeds of trust, or instruments in writing, conveying either real or personal estate, and creating a trust or trusts in regard to such property; or charging or incumbering the same; all mortgages or instruments in writing, in the nature of a mortgage of any property, real or personal; all marriage settlements or instruments in the nature of a settlement of marriage; all leases or contracts in writing made between landlord and tenant for a longer period than twelve months; all statutory liens on crops; all statutory liens on buildings and lands for labor furnished or performed on them; all statutory liens on ships and vessels; all certificates of

renunciation of dower; and generally all instruments in writing now required by law to be recorded in the office of Register of Mesne Conveyances, or in the office of the Secretary of State, which shall be delivered or executed on and after the first day of January, in the year of our Lord one thousand eight hundred and seventy-seven, shall be valid, so as to affect from the time of such delivery or execution the rights of subsequent creditors or purchasers for valuable consideration without notice, only when recorded within forty days from the time of such delivery or execution in the office of Register of Mesne Conveyances of the County where the property affected thereby is situated in the case of real estate; and in the case of personal property, of the County where the owner of said property resides, if he reside within the State, or, if he resides without the State, of the County where such personal property is situated at the time of the delivery or execution of said deeds or instruments: *Provided, nevertheless,* That the above mentioned deeds or instruments in writing, if recorded subsequent to the expiration of said period of forty days, shall be valid to affect the rights of subsequent creditors and purchasers for valuable consideration without notice only from the date of such record.

A. D. 1876.

Places of
registry.

Time allowed.

SEC. 2. That all Acts and parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved March 2, 1876.

AN ACT TO AMEND THE CHARTERS OF CERTAIN FERRIES IN THE COUNTY OF GEORGETOWN, AND TO PROHIBIT, UNDER PENALTY, THE TAKING OF MORE TOLL AT SUCH FERRIES THAN IS HEREIN PRESCRIBED. No. 105.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That each of the ferries of Sampit, Glenn's and Peedee, in the County of Georgetown, the following rates of toll, and no other, shall be demanded or collected by the keepers thereof, to wit: for one horse and buggy each way, twenty-five cents; for two horses and buggy each way, thirty-five cents; for one wagon and team of four horses, forty cents; for one horse and cart, fifteen cents; for every person on horseback leading or driving a mule or horse, ten cents; for every horse or mule, four cents; for every head of cattle, three cents; for every hog, sheep or goat, two cents; for every animal for show, in addition to the carriage in which it may be conveyed,

Rates of toll.

A. D. 1876.

forty cents; for every foot passenger each way, two and a half cents: *Provided*, Children going to and returning from school, voters going to and returning from polls on election day, shall be passed free of charge over such ferries.

Penalty for
exceeding
charges herein.

SEC. 2. In any case where a greater sum is demanded or collected than is prescribed in said first Section of this Act by any person having the management or care of either of said ferries, the person demanding or collecting such toll shall be deemed guilty of a misdemeanor, and, upon conviction in any Court of competent jurisdiction, shall be fined in a sum not less than one hundred dollars and costs, and not more than two hundred dollars, and be imprisoned in the County jail for a period not less than ninety days: *Provided*, That the provisions of Section 37 of Chapter XLVII of the General Statutes of South Carolina shall not apply to any of the ferries named in this Act.

SEC. 3. All Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved March 2, 1876.

No. 106. AN ACT TO INCORPORATE THE HIBERNIAN PARK ASSOCIATION,
OF CHARLESTON.

Corporators.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That B. Callaghan, Wm. Moran, D. W. Erwin, P. Fogarty, James Cosgrove, B. F. McCabe, A. G. Magrath, Jr., T. O'Brien, T. A. Beamish, S. Fogarty, M. Storen, J. D. Kennedy, M. Hogan, P. Brady, B. Boyd, Wm. Byrne, John Hynes, Thomas Roddy, J. F. Redding, Edward Daly and Robert F. Touhey, and their successors in office, and such other persons who are now or hereafter may be associated with them, be, and they are hereby, declared a body politic and corporate, under the name and style of the Hibernian Park Association, of Charleston, and by this name and style shall be, and is hereby, made capable in law to have, purchase, enjoy and retain to it and its successors lands, rents, tenements, goods, chattels, effects and estates, and property of every nature and quality, and the same to convey, alien, sell, mortgage and dispose of; to sue and be sued, plead and be impleaded, defend and be defended, in all Courts of law; and also to have, make and use a common seal, and the same to alter and renew at pleasure; and also to ordain and put in execution such constitution, by-laws and regulations as may seem

Corporate
name.

Powers and
privileges.

necessary and convenient for the government of the said corporation, not being repugnant to the laws of the State.

A. D. 1876.

Capital stock.

SEC. 2. That the maximum amount of stock issued or to be issued by said corporation shall not exceed forty thousand dollars, the same to be issued in shares of five dollars each; and that the said corporation is hereby empowered to issue the said amount of stock, or any part thereof, with whatever conditions, limitations and restrictions thereon the said corporation may deem proper to adopt, the subscriber being first informed thereof.

Liability of stockholders.

SEC. 3. That the stockholders of the said corporation shall be individually liable for the debts of the said corporation, each stockholder to the extent only of the amount of stock subscribed to by him; but such liability shall not attach until the corporation shall have been duly sued and *nulla bona* returned on execution on such suit.

Investment of funds.

SEC. 4. That as soon as the said corporation hereby established and created shall deem it beneficial and expedient, the moneys derived from stock subscribed to now, and to be hereafter subscribed to, may and shall be invested in such manner and upon such terms as the said corporation may determine.

SEC. 5. That this Act shall take effect immediately after its passage, and may be given in evidence without being specially pleaded, and shall continue in force for thirty years.

Approved March 2, 1876.

AN ACT TO CHARTER THE LADIES' ISLAND AND COOSAW RIVER MINING COMPANY, IN THE STATE OF SOUTH CAROLINA, AND TO GRANT TO THE PERSONS NAMED THEREIN, AND THEIR ASSOCIATES, THE RIGHT TO DIG AND MINE IN THE BED OF THE COOSAW RIVER, IN BEAUFORT COUNTY, FOR PHOSPHATE ROCKS, AND PHOSPHATIC DEPOSITS. No. 107.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the State of South Carolina does hereby grant and give to the following persons, to wit, J. G. Cole, David Green, June Gooden, Peter Mitchell, William Lawrance, J. D. Minott, H. B. Ferguson, Solomon Dais, Bacus Rivers, May Simmons, Hastings Gantt, and such other persons as they may associate with them, the right to dig, mine and remove for the full term of thirty years from the bed of the Coosaw River, in Beaufort County, the phosphate rocks and

Grantees.

A. D. 1876.

phosphatic deposits: *Provided*, That the persons named, and their associates, shall not in any way interfere with the free navigation of the said Coosaw River or the private rights of any citizen or citizens residing upon or owning the lands upon the banks of the said river.

Conditions of grant.

SEC. 2. That this gift or grant is made upon the express condition that the said grantees shall pay to the State of South Carolina the sum of one dollar per ton for every ton of phosphate rock and phosphatic deposits dug, mined and removed from the said river; and, further, that the said grantees shall pay into the State Treasury the sum of one hundred dollars as a license fee before commencing business under this grant.

Returns of phosphates dug.

SEC. 3. That the said grantees and their associates shall make true and faithful returns to an authorized officer, annually, on or before the first day of October, and oftener if required by the said officer, of the number of tons of phosphate rocks and phosphatic deposits dug, mined and removed by them from the bed of the said river, and shall punctually pay to the State Treasurer, annually, on the first day of October, one dollar per ton for every ton of phosphate rocks and phosphatic deposits by them dug, mined and removed from the bed of the said river during the year preceding. The books of said grantees and their associates shall be open to the inspection of the said officer, or agent duly appointed by him for that purpose; and they shall give a bond in the penal sum of (\$5,000) five thousand dollars, conditioned that said grantees and their associates shall make true and correct returns of all phosphate dug by them, said bond to be filed in the office of the Comptroller General.

Royalty to be paid.

Bond.

Capital stock.

SEC. 4. That the capital stock of said company shall consist of thirty thousand (30,000) dollars, to be divided into shares of ten dollars each, with the privilege of increasing the same to an amount not exceeding one hundred thousand dollars; and when the sum of three thousand dollars shall have been subscribed and paid in, the said company may be organized and go into operation.

Division of profits.

SEC. 5. That the profits of said company may, from time to time, be divided among the stockholders, according to such rules and regulations as they may prescribe, not repugnant to the laws of the State.

Approved March 3, 1876.

AN ACT TO MAKE APPROPRIATIONS TO MEET THE ORDINARY
EXPENSES OF THE STATE GOVERNMENT FOR THE FISCAL YEAR
COMMENCING NOVEMBER 1, 1875.

A. D. 1876.

No. 108.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the following sums, if so much be necessary, be, and they are hereby, appropriated to the objects herein named, out of the proceeds of the tax of one mill levied in pursuance of Section 1 of an Act entitled "An Act to raise supplies for the fiscal year commencing November 1, 1875," that is to say:

Appropriation
for salaries
and contin-
gents.

1. For the salary of the Governor, thirty-five hundred dollars; for the salary of the Governor's Private Secretary, two thousand dollars; for the salary of the Governor's Messenger, five hundred dollars.

Salaries Ex-
ecutive office.

2. For the salary of the Lieutenant Governor, twenty-five hundred dollars.

Lieutenant
Governor.

3. For the salary of the Secretary of State, three thousand dollars; for the salary of the Clerk of the Secretary of State, fifteen hundred dollars.

Secretary of
State's office.

4. For the salary of the Comptroller General, three thousand dollars; for the salary of the Clerk of the Comptroller General, fifteen hundred dollars; for the salary of the Bookkeeper of the Comptroller General, fifteen hundred dollars; for extra clerical services of Comptroller General's office, five hundred dollars.

Comptroller
General's office

5. For the salary of the State Treasurer, twenty-five hundred dollars; for the salary of the State Treasurer's Chief Clerk, eighteen hundred dollars; for the salary of the State Treasurer's Bookkeeper, fifteen hundred dollars.

Treasury. of-
fice.

6. For the salary of the Adjutant and Inspector General, twenty-five hundred dollars; for the salary of the Clerk of the Adjutant and Inspector General, twelve hundred dollars.

7. For the salary of the State Superintendent of Education, twenty-five hundred dollars; for the salary of the Clerk of the State Superintendent of Education, one thousand dollars.

State Super-
intendent's of-
fice.

8. For the salary of the Attorney General, three thousand dollars; for the salary of the Clerk of the Attorney General, one thousand dollars.

Attorney Gen-
eral's office.

9. For the salary of the Chief Justice of the Supreme Court, four thousand dollars; for the salaries of two Associate Justices, seven thousand dollars; for the Clerk of the Supreme Court, who shall perform the duties of Librarian of said Court, fifteen hundred dollars; for the State Reporter, fifteen hundred dollars; for an attend-

Salaries, &c.,
Supreme Court

A. D. 1876.

ant upon the Library and rooms of the Supreme Court, (said attendant to be appointed by and removable at the pleasure of said Court,) three hundred dollars; for the purchase of books for the Library of the Supreme Court, five hundred dollars, to be paid on the order of the Chief Justice.

Circuit Judges
and Solicitors.

10. For the salaries of the eight Circuit Judges, twenty-eight thousand dollars; for the salaries of the eight Circuit Solicitors, eight thousand dollars.

State Librarian
and Watchman.

11. For the salary of the Keeper of the State House and State Librarian, one thousand dollars; for the salaries of the two Watchmen of the State House and grounds, six hundred dollars each.

Superintendents,
Asylum and Penitentiary.

12. For the salary of the Superintendent of the State Lunatic Asylum, twenty-five hundred dollars; for the salary of the Superintendent of the State Penitentiary, two thousand dollars; for the salary of the Physician of the State Penitentiary, five hundred dollars.

County Auditors.

13. For the salaries of the County Auditors, thirty-nine thousand seven hundred and fifty dollars; for the Clerk of the Auditor of Charleston County, one thousand dollars.

School Commissioners.

14. For the salaries of the County School Commissioners, thirty-two thousand two hundred dollars.

Health Officers.

15. For the salaries of the Health Officers, five thousand one hundred dollars; for expenses of maintaining quarantine, two thousand dollars; for the salary of the Keeper of the Lazaretto, four hundred dollars.

Contingent
funds.

16. For the contingent fund of the Governor, three thousand five hundred dollars; for the contingent fund of the State Treasurer, three hundred dollars; for the contingent fund of the Secretary of State, three hundred dollars; for the contingent fund of the State Superintendent of Education, three hundred dollars; for the contingent fund of the Comptroller General, three hundred dollars; for the contingent fund of the Attorney General, three hundred dollars; for the contingent fund of the Adjutant and Inspector General, three hundred dollars; for the contingent fund of the State Librarian, three hundred dollars; for the contingent expenses of the Supreme Court, five hundred dollars; for the expenses of litigation in the Attorney General's office, to be paid upon the warrant of the Comptroller General on application of the Attorney General, three thousand dollars.

Expenses of
funding.

17. For expenses incurred under an Act to reduce the volume of the public debt and provide for the payment of the same, approved December 22, 1873, twenty-five hundred dollars, to be disbursed under the direction of the State Treasurer; for printing books and blanks for County Treasurers and Auditors, and other

papers necessary to the collection of taxes, six thousand dollars, to be disbursed on the order of the Comptroller General, who is hereby authorized and required to advertise in one daily newspaper in each of the cities of Charleston and Columbia for two weeks for proposals for furnishing the said books, blanks and other papers, and to award the contract therefor to the lowest responsible bidder; for the payment of accounts for publishing the State Treasurer's monthly statements for the fiscal year 1874-75, fifteen hundred dollars: *Provided*, That four hundred dollars (if so much be necessary) be used for the payment of accounts for publishing the aforesaid statements for August, September and October, 1875.

A. D. 1876.

Expenses of funding.

Auditors' and Treasurers' books and blanks.

Treasurer's monthly statements.

SEC. 2. That the following sums, if so much be necessary, be, and they are hereby, appropriated, to be paid to the objects herein named, out of the proceeds of the tax of one mill levied in pursuance of Section 2 of the Act recited in Section one (1) hereof, that is to say:

Appropriations for public institutions.

1. For the construction and support of the State Penitentiary, forty thousand dollars, of which sum fifteen thousand dollars, if so much be necessary, shall be used for the payment of the guards and employees, one thousand dollars for expenses of transportation and clothing of discharged convicts, and twenty-five hundred dollars for repairs of buildings, to be paid on the warrant of the Comptroller General, on the application of the Superintendent, approved by the Board of Directors.

Support of Penitentiary.

2. For the support of the State Lunatic Asylum, sixty-five thousand dollars, to be paid on the warrant of the Comptroller General, on the application of the Superintendent, approved by the Board of Regents: *Provided, however*, That fifteen thousand dollars, if so much be necessary, be exclusively applied to the payment of salaries and wages of employees of said institution for the fiscal year commencing November 1, 1875.

Lunatic Asylum.

3. For the support of the State Orphan Asylum, ten thousand dollars, to be paid on the order of the Board of Trustees; for the Deaf, Dumb and Blind Asylum, five thousand dollars.

State Orphan Asylum.

Deaf, Dumb and Blind Institution.

4. For the Catawba Indians, eight hundred dollars, payable on the warrant of the Comptroller General, on application of the Agent.

Catawba Indians.

5. For the support of the University of South Carolina, forty-three thousand four hundred dollars, to be used as follows: For the salaries of professors, twenty-one thousand five hundred dollars, as follows: For the salary of the Librarian, Treasurer, &c., fifteen hundred dollars; for the Professor of Natural and Mechanical Philosophy and Astronomy, two thousand dollars; for the Professor of Mathematics and Civil and Military Engineering, two thousand

South Carolina University

A. D. 1876.

dollars; for the Professor of History, Political Philosophy and Political Economy, two thousand dollars; for the Professor of Chemistry, Geology and Mineralogy, two thousand dollars; for the Professor of Criticism, Elocution and English Language and Literature, two thousand dollars; for the Professor of Mental and Moral Philosophy, two thousand dollars; for the Professor of Ancient Language and Literature, two thousand dollars; for the Professor of Modern Language and Literature, two thousand dollars; for the Professor of Law, two thousand dollars: *Provided*, That all persons who are not regular students in other schools of the University who enter the school of law shall pay an entrance fee of fifty dollars, which fee shall be paid into the State Treasury, to be applied to the payment of outstanding claims against the Deaf, Dumb and Blind Asylum; for apparatus of the Department of Chemistry and Natural Philosophy, two hundred dollars each; for beneficiary scholarships in said University, fifteen thousand dollars, or so much thereof as may be necessary, to be paid in accordance with the law establishing the same, on the application of Librarian and Treasurer of the University; for the salary of the Principal of the Preparatory School of the University, twelve hundred dollars; for the salary of the Assistant, eight hundred dollars, to be paid on the warrant of the Comptroller General, on the application of the Chairman of the Faculty of the University; for insurance and repairs of buildings, two thousand dollars, to be paid on the warrant of the Comptroller General, on the application of the Librarian and Treasurer of the University; for the binding and preservation of books and pamphlets, and the purchase of new ones, one thousand dollars, to be paid on the warrant of the Comptroller General, on the application of the Librarian and Treasurer of the University; for miscellaneous expenses, fifteen hundred dollars, two hundred and fifty dollars of which shall be paid to James Davis, late Bursar and Marshal, for the half year salary due him by the State, and the balance shall be applied to the payment of the attendants and mileage of the members of the Board of Trustees, to be paid on the warrant of the Comptroller General, on the application of the Librarian and Treasurer of the University.

State Normal
School.

6. For the support of the State Normal School, fifteen thousand dollars, one-half of which, if so much thereof be necessary, shall be used for the maintenance of scholarships, to be paid on the warrant of the Comptroller General, upon the application of the Board of Regents: *Provided*, That the amount appropriated for the aforesaid scholarships shall be set apart for such a number of scholars from each County in the State as the said County is entitled to in its representation in the House of Representatives.

7. For the payment of interest on the bonds of the State Agricultural College and Mechanics' Institute, ten thousand dollars, to be paid in accordance with the law establishing the same.

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State Agricultural College.

SEC. 3. For the public printing, in accordance with the contract made with the Republican Printing Company, fifty thousand dollars, to be paid from the proceeds of the tax of one-half of one mill levied in pursuance of Section 5 of the Act recited in Section 1 hereof, upon the certificates, as now provided by law.

Expenses of Printing.

SEC. 4. For the support and maintenance of public schools, the sum of two hundred and fifty thousand dollars, or the proceeds of the tax of two mills levied in pursuance of Section 3 of the Act recited in Section 1 hereof, one thousand dollars (if so much be necessary) of which shall be expended for printing blank forms for the use of said schools, to be disbursed on the order of the State Superintendent of Education; and the State Superintendent of Education is hereby authorized and directed to apportion the amount so appropriated upon the basis of school attendance in the several Counties of the State for the scholastic year ending June 30, 1875; and the School Commissioners of the several Counties are hereby instructed to apportion the school funds of their respective Counties upon the basis of school attendance in the various school districts of the said Counties as aforesaid.

Support of public schools.

How to be apportioned.

SEC. 5. For the payment of the January and July interest upon the consolidation bonds and certificates of stock of the State issued under the provisions of the Act to reduce the volume of the public debt, such an amount as may be necessary of the proceeds of the tax of two mills levied in pursuance of Section 6 of the Act recited in Section 1 hereof; the surplus, if any, arising from said tax to be applied to the purchase of the said consolidation bonds and certificates of stock in accordance with the provisions of Section 7 of the Act to reduce the volume of the public debt and provide for the payment of the same, approved December 22, 1873.

Interest on consolidation bonds and stocks.

Disposition of surplus.

SEC. 6. That the sum of six thousand dollars be, and the same is hereby, appropriated, out of the money derived from the Land Commission Department, for the removal and repair of the Lazaretto in the port of Charleston, the said sum to be paid upon the warrant of the Comptroller General, upon the application of the Health Officer of that port; and the following amount be, and the same is hereby, appropriated out of funds in the hands of the State Treasurer on account of the Land Commission Department, namely: Five thousand dollars for unpaid expenses of the general election of 1874, and special elections held since.

Removal and repair of Lazaretto.

SEC. 7. That the amounts appropriated for the payment of salaries in the first Section of this Act shall be payable quarterly, and

Salaries payable quarterly.

A. D. 1876.

Contingent
funds—how to
be drawn.

the amounts appropriated for contingent funds as required, on the order of the Comptroller General, on the application of the various officers entitled to receive the same: *Provided*, That the accounts and vouchers upon which such applications are made shall be filed with the Comptroller General before he issues his warrants on the State Treasurer for payment of the same.

Reports of
disposition
same.

SEC. 8. That the moneys herein appropriated to be used as contingent funds, and for other purposes, by the various officers of the State government shall be duly accounted for by the said officers, who shall make a detailed statement of the disposition made thereof to the General Assembly at the next regular session, on or before December 1: *Provided*, That no officer authorized to make contracts or draw funds from the said appropriations shall expend or make contracts expending more than has been appropriated for any purpose by this Act or any portion thereof: *Provided, further*, That the appropriations made under this Act shall be paid *pro rata* until it shall be ascertained that the levy and collections for said purposes are found to be sufficient to pay said appropriations in full.

Appropriations
payable
pro rata.Appropriations
only to
this fiscal year.

SEC. 9. That the moneys appropriated in Sections 1, 2, 3 and 4 of this Act shall not be paid out except for expenses incurred during the fiscal year commencing November 1, 1875, and ending October 31, 1876, and the scholastic year commencing June 30, 1875, and ending June 30, 1876; and it is hereby made a felony for any officer to pay out any portion of the same otherwise than as herein provided for; and upon conviction thereof, any officer so offending shall be punished as provided in Section 3 of an Act to regulate the manner in which public funds shall be disbursed by public officers, approved March 17, 1874.

Impeachment
expenses.

Rewards.

SEC. 10. That the following sums be, and the same are hereby, appropriated out of the moneys in the hands of the State Treasurer for and on account of the Land Commission Department, viz.: One thousand dollars for the purpose of paying the State witnesses and other unavoidable expenses incurred in the impeachment trial of Montgomery Moses, to be paid on the certificate of the Clerk of the Senate; also, five thousand dollars for the payment of such rewards as may be or have been offered under the proclamations of the Governor, to be drawn on the warrant of the Governor and countersigned by the Comptroller General.

Expenses of
Claims Com-
mission.

SEC. 11. That the sum of four thousand dollars be, and the same is hereby, appropriated out of the levy made in the Act passed at the present session of the General Assembly entitled "An Act to provide for the settlement and payment of certain claims against the State," for the payment of the expenses incurred under the pro-

visions of the said Act, to be drawn on the warrant of the Governor, countersigned by the Comptroller General.

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SEC. 12. That all Acts and parts of Acts inconsistent with the provisions of this Act be, and the same are hereby, repealed.

Approved March 3, 1876.

AN ACT TO PROVIDE FOR THE MORE UNIFORM SYSTEM OF GAUGING CERTAIN LIQUIDS IN THE CITY OF CHARLESTON. No. 109.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act, all oils, molasses, syrups, wines, vinegar and liquors (not domestic) sold in the city of Charleston, either by the hogshead, pipe, puncheon, barrel, cask, keg or tank, shall, before their delivery, be gauged by a sworn Gauger, elected by the City Council of Charleston, whose term of office shall be for four years.

What liquids to be gauged.

SEC. 2. It shall not be lawful for any person or persons except those duly elected by the City Council of Charleston to exercise the duties of Gauger or gauge any of the aforesaid articles, under a penalty for each offense that may have been or may be in the future fixed by the ordinances of the said city on the said subject; the said penalty to be recovered in any Court of competent jurisdiction.

By whom to be gauged.

SEC. 3. The fee to be charged for the said gauging shall not exceed ten cents per package, such fee to be paid by the seller to the authorized Gauger; and all fees accruing to the city Gaugers in the discharge of their duties shall be equally shared between them.

Fee for gauging.

SEC. 4. That all Acts or parts of Acts inconsistent with the provisions of this Act be, and the same are hereby, repealed.

Approved March 3, 1876.

AN ACT TO INCORPORATE THE PACOLET HIGH SCHOOL, OF SPARTANBURG COUNTY. No. 110.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That J. T. Sloan, W. J. T. Glenn, G. W. Brown, W. D. Wilkins, T. C. Brown, M. Wood and William Webster be, and they are hereby, incorporated and declared to be a body corporate, by the name and style

Corporators.

A. D. 1876.
 Corporate
 name.

of the Trustees of the Paçolet High School, and by that name and style shall have succession of officers and members, and shall have a common seal.

Powers and
 privileges.

SEC. 2. That said corporation shall have power to purchase, receive and hold any real and personal estate, not exceeding in value the sum of ten thousand dollars, and to sell, convey and dispose of the same, and by its corporate name may sue and be sued in any Court in this State; and to make such rules and by-laws, not repugnant to law, as it may deem necessary and expedient, and as shall from time to time be agreed upon by its members or a majority of them.

SEC. 3. That this Act shall be deemed and taken to be a public Act, and continue of force for a term of fourteen years.

Approved March 4, 1876.

NO. 111. AN ACT TO INCORPORATE THE LIMESTONE SPRINGS FEMALE HIGH SCHOOL, IN SPARTANBURG COUNTY.

Corporators.

Corporate
 name.

Powers and
 privileges.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Charles Petty, John Earle Bomar, W. R. Lipscomb, E. B. Cannon, J. W. Carlisle and H. G. Gaffney, their associates and successors, be, and they are hereby, declared a body politic and corporate, under the name and style of the Limestone Springs Female High School, in Spartanburg County, for the period of twenty-one years from the passage of this Act, and shall have power to have and use a common seal, to sue and be sued, plead and be impleaded, in any Court of this State; to make all by-laws necessary and proper for the purposes of said corporation not repugnant to the laws of this State, with power to purchase and hold real and personal property to an amount not exceeding thirty thousand dollars, and the same to alien, lease or transfer, and in general to exercise and enjoy all the powers and privileges incident to such corporations.

May hold cer-
 tain property.

Property ex-
 empt from tax-
 ation.

SEC. 2. That said corporation shall have power to take and hold the property known as the Seminary property, at Limestone Springs, in Spartanburg County, with the grounds attached, together with all school furniture, valued at the sum of ten thousand dollars, or as much as said corporation may deem just and proper, not to exceed the sum above named; the property of said corporation to be exempt from taxation as long as the same shall be used for educational purposes, and no longer.

SEC. 3. That said corporation shall have power to elect professors and teachers and to remove them at pleasure, to prescribe a course of study, to confer degrees and diplomas and such other honorary distinctions to graduates thereof as are common in schools or colleges of similar grades.

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Professors and
teachers.
Degrees, &c.

SEC. 4. That this Act shall and it is hereby declared to be a public Act.

Approved March 4, 1876.

AN ACT TO RENEW AND AMEND THE CHARTER OF THE TOWN OF WILLISTON, IN THE COUNTY OF BARNWELL. No. 112.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act, all citizens of this State having resided sixty days in the town of Williston shall be deemed, and are hereby declared to be, a body politic and corporate; and the said town shall be called and known by the name of Williston, and its corporate limits shall be held and deemed to extend one-half of one mile on lines extending at right angles to each other, from the South Carolina Railroad Depot as a central point, and, respectively, perpendicular to and parallel with the railroad avenue, forming a square area.

Corporators.

Corporate
limits.

SEC. 2. That the town shall be governed by an Intendant and four Wardens, who shall be citizens of the State, and shall have been residents of the said town sixty days immediately preceding their election, who shall be elected on the second Tuesday in September of the present year, and thereafter on the same day in each succeeding year, as hereafter provided, ten days' public notice being previously given; and that all male inhabitants of the age of twenty-one years, citizens of the State, and who shall have resided in said town for six months immediately preceding the election, shall be entitled to vote for said Intendant and Wardens, paupers and persons under disabilities for crime excepted.

Officers.

Time of holding
election.

SEC. 3. That the election for Intendant and Wardens of the said town shall be held in the Town Hall, or some other convenient public place in the said town, from seven o'clock in the morning until five o'clock in the afternoon; and when the polls shall be closed, the Managers shall forthwith publicly count the votes, and proclaim the election, and give notice, in writing, to the Intendant therein being, who shall, within two days thereafter, give notice in

Conduct of.

Managers.

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Oath of office.

Term of office
of Intendant
and Wardens.

Vacancies.

Intendant
and Wardens
vested with
powers of Trial
Justices.

Council meet-
ings.

Corporate
powers and
privileges.

writing, or cause the same to be given, to the persons duly elected. The Intendant and Wardens shall appoint, for the time being, three citizens as a Board of Managers to conduct the election, who, before they open the polls, shall take an oath fairly and impartially to conduct the same; and, furthermore, the Intendant and Wardens, before entering upon the duties of their respective offices, shall take the oath prescribed by the Constitution of this State, and also the following oath, to wit: "As Intendant (or Warden) of the town of Williston, I will equally and impartially, to the best of my ability, exercise the trust reposed in me, and will use my best endeavors to preserve the peace and carry into effect, according to law, the purpose for which I have been elected: So help me God." And if any person, upon permitting his name to be used as a candidate, and being elected Intendant or Warden, shall refuse to act as such, he shall forfeit and pay to the said Town Council a sum not exceeding twenty dollars. The said Intendant and Wardens shall hold their offices from the time of their qualification until the second Tuesday in September of the ensuing year, and until their successors shall be elected and qualified.

SEC. 4. That in case a vacancy shall occur in the office of Intendant or any of the Wardens, by death, resignation, removal or otherwise, or in case of a tie in said election, an election to fill such vacancy shall be held, by the appointment by the Intendant and Wardens, or by the acting Intendant and Wardens, (or Warden,) as the case may be, ten days' public notice thereof having been previously given; and in case of the sickness or temporary absence of the Intendant, the Wardens forming a Council shall be empowered to elect one of their number to act in his stead during such absence.

SEC. 5. That the Intendant and Wardens duly elected and qualified shall, during their term of service, be vested with all the jurisdiction and powers of Trial Justice or other inferior Court within the limits of said town; and the said Intendant shall and may, as often as he may deem necessary, summon the Wardens to meet in Council, any two of whom, with the Intendant, may constitute a quorum to transact business; and they shall be known by the name of the Town Council of Williston; and they and their successors, hereafter to be elected, may have a common seal, to be affixed to all ordinances; may sue and be sued, plead and be impleaded, in any Court of law or equity in this State; and purchase, hold, possess and enjoy, to them and their successors, in perpetuity, or for any term of years, any estate, real, personal or mixed, and sell, alien or convey the same: *Provided*, The same shall not exceed at any one time the sum of ten thousand dollars.

And the Intendant and Wardens shall have full power to make and establish all such rules, by-laws and ordinances not conflicting with the State laws for the benefit and welfare of said town, said rules, by-laws and ordinances to be subject to revisal or repeal by the General Assembly of this State. And said Council may fix and impose fines and penalties for the violation thereof, and shall have the same powers which Trial Justices now have to compel the attendance of witnesses, and requiring them to give evidence upon the trial before them of any person for a violation of any of their rules, by-laws or ordinances; and all such fines shall be appropriated to the public use of the corporation; and the said Town Council is hereby empowered to collect all such fines in the manner now prescribed by law: *Provided*, No punishment shall exceed twenty-five dollars or ten days' imprisonment.

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Rules, by-laws and ordinances.

SEC. 6. That the said Town Council shall have authority to appoint, from time to time, as they may see fit, such and so many persons as Marshals or Constables of said town as the said Council may deem necessary and expedient for the preservation of the peace, good order and police thereof, which person or persons so appointed shall, within the corporate limits of said town, have all the power and privileges, and be subject to all the obligations, penalties and regulations, provided by law for the office of Constable, and shall be liable to be removed at the pleasure of said Council.

Town Marshals.

SEC. 7. That the said Town Council of Williston shall have power to arrest and commit to the guard house of said town, for a space of time before trial not exceeding forty-eight hours, any person or persons who shall be guilty of disorderly conduct in said town to the annoyance of the citizens thereof; and it shall be the duty of the Marshal of the town to make such arrest, and to call to his assistance the *posse comitatus*, if necessary; and upon a failure to perform such duty, he shall be fined such sum and be liable to such penalties as said Town Council may impose; and any person so summoned by the Marshal to aid in such arrest, and refusing to render any or proper assistance, shall be fined a sum not exceeding ten dollars, or be imprisoned for a period not exceeding five days.

Arrests.

SEC. 8. That the said Town Council shall have full power to abate and remove nuisances in said town; and it shall be their duty to keep all roads, streets, alleys, ways and bridges within the corporate limits of said town open and in good repair; and for that purpose they are invested with all the powers heretofore granted to County Commissioners; and shall have power to classify and arrange the male inhabitants of said town liable to road, street and other public duty therein, and to enforce the performance of

Special powers of Council.

A. D. 1876.

such duty by the imposition of a fine, not exceeding ten dollars, upon any person or persons refusing or failing, after due summons, to work such streets: *Provided*, Such person or persons shall have the privilege of compounding, in lieu of such work, by the payment of such sum as the said Council shall fix by ordinance; and all such compound money shall be applied to the keeping in repair the streets, ways and bridges in the said town, and for other public purposes: *And provided, also*, That the Intendant and Wardens of the said town shall be exempt from the performance of road and police duty, and the inhabitants of said town are hereby exempt from road and police duty without the corporate limits of said town.

Sidewalks—
repair of.

SEC. 9. That the said Town Council of Williston shall have full power and authority to require all persons owning a lot or lots in said town to make and keep in good repair sidewalks in front of said lot or lots, whenever the same shall front or adjoin any of the public streets of said town, if in the judgment of the Council such sidewalks shall be necessary, the width thereof and the manner of construction to be designated and regulated by the Town Council; and for default or refusal to make and keep in repair such sidewalks, the Town Council may cause the same to be made or put in repair, and require the owner to pay the price of making or repairing: *Provided*, That such contracts for making or repairing be let to the lowest bidder.

Opening and
closing of roads
and streets.

SEC. 10. That the said Town Council shall have power, with the consent of the adjacent land owners, to close all such roads, streets and ways within the said town as they may deem necessary, by sale of the freehold therein, either at private or public sale, as they adjudge best for the interest of the said town; and they shall have power to lay out, adopt, open and keep in repair all such new streets, roads and ways as they may, from time to time, deem necessary for the improvement and convenience of said town: *Provided*, That no new street, road or way shall be opened without first having obtained the consent of the land owner or owners through whose premises any such new street, road or way may pass.

Granting
licenses.

SEC. 11. That the Town Council of said town shall have full power to grant or refuse licenses to any person, firm, company or corporation engaged in or intending to be engaged in the sale of spirituous liquors: *Provided*, That in no instance shall the price of a license to keep a tavern to retail spirituous liquors be fixed at a less sum than is established by the laws of this State; and all moneys paid for licenses and for fines and forfeitures for retailing spirituous liquors, keeping taverns and billard tables within the said limits without licenses shall be appropriated to the public uses of

said town: *Provided*, That the said Town Council shall not have power to grant any licenses for over one year.

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SEC. 12. The said Town Council shall have power to impose an annual tax not exceeding twenty-five cents on every hundred dollars of the assessed value of all real and personal estate lying within the corporate limits of said town (property exempt by law alone excepted). The said Town Council shall have power to regulate the price of license upon all public shows and exhibitions in said town. The said Town Council shall have power to enforce the payment of all taxes levied under the authority of this Act against the property and persons of defaulters, to the same extent and in the same manner as is provided by law for the collection of the general State tax, except that executions to enforce the payment of the town taxes shall be issued under the seal of the corporation, and be directed to the Town Marshal or other person, especially appointed by the Town Council to collect the same; and all property upon which a tax shall be levied is hereby declared and made liable for the payment thereof in preference to all other debts against the said property, except debts due to the State, which shall first be paid.

Imposition of taxes.

SEC. 13. That all Acts and parts of Acts inconsistent with this Act be, and the same are hereby, repealed. And this Act shall be deemed a public Act, and shall remain in force until repealed.

Approved March 4, 1876.

AN ACT TO INCORPORATE THE SENECA INSURANCE AND TRUST COMPANY. No. 113.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That A. W. Thompson, C. B. Fenwick, Wm. Kiernan, P. F. Pescud, H. Walker, John Reed, John McKeon, W. A. Addington, and their associates and successors, be, and they are hereby, created and declared a body politic and corporate, by the name and style of the Seneca Insurance and Trust Company, and by that name and style shall have all the rights, powers and privileges conferred by this Act and not inconsistent with the laws of this State nor of the United States.

Corporators.

Corporate name.

SEC. 2. That the capital stock of said company shall be one hundred thousand dollars, (\$100,000,) divided into shares of one hundred dollars each, (\$100); but when fifty thousand dollars (\$50,000) thereof shall have been actually subscribed and paid in,

Capital stock.

A. D. 1876.

in cash, the said company may organize and proceed to business under this Act. Said company shall have power to increase its capital stock, from time to time, to a sum not exceeding one million of dollars (\$1,000,000).

Powers and privileges.

SEC. 3. That said company shall have authority to have and to make a common seal, and to alter the same at pleasure, and to ordain, establish and put in execution such by-laws, ordinances and regulations as shall be deemed necessary for the government of said company, not being contrary to the laws of this State nor of the United States.

Officers.

SEC. 4. That the business and corporate powers of said company shall be exercised by a Board of not less than five Directors, who shall elect from their number a President and Treasurer, and such other officers as may be required for the proper management of the business of said company; and the Directors may declare by by-laws what number of Directors shall constitute a quorum for the transaction of business. The Directors may determine the length of time that the President and other officers shall hold their offices. The President or other officers shall be allowed a reasonable salary, such as the Board of Directors may agree upon. A quorum of the Directors being present for the transaction of business, a majority of them shall decide all questions arising; and in case of death, resignation or disqualification of the President, or any of the Directors, from attending to the duties of their office, the remaining Directors may elect others to fill their places.

Payment of capital stock.

SEC. 5. That the capital stock shall be paid in as follows: Five dollars shall be paid on each share at the time of subscribing for same, and the remainder shall be secured to the satisfaction of the Board of Directors, and to be paid thereafter as may be required by the Board of Directors.

Bonds of officers.

SEC. 6. That the Board of Directors may require of the President and other officers of the company such reasonable bond for the faithful performance of their several duties as they may deem proper.

General powers.

SEC. 7. That said company shall be capable of suing and being sued, pleading and being impleaded, answering and being answered unto, defending and being defended, in all matters and causes whatsoever.

May make insurance on vessels, &c.

SEC. 8. That the President and Directors are authorized to make insurance on vessels, freights, steamboats, merchandise, specie, bullion, jewels, profits, commissions, bank notes, bills of exchange and other evidences of debt, bottomry and *respondentia* interest, and to make all and every insurance connected with marine risks and risks of transportation and navigation.

SEC. 9. That said company may make insurance on dwellings, houses, stores, gin-houses and other kind of buildings, and upon household furniture and other property, and merchandise, against loss or damage by fire, and may cause itself to be re-insured against any risk upon which they have made or shall make insurance.

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And on dwellings, stores, &c.

SEC. 10. That the President and Directors may make insurance on human life, to grant annuities, to guarantee the payment of notes, bonds, bills of exchange, and to make all kinds of contracts for the insurance of every description of property; to receive money on deposit, and to pay interest thereon as may be advisable by the President and Directors; to provide for the safe investment of the funds of the company in such manner as may be deemed most advantageous to the company and to the depositors; to invest the same, from time to time, in good and solvent stocks or loans, well secured or otherwise, as may be judged best for the interest, advancement and prosperity of the company: *Provided*, That in no event whatsoever shall the depositors be liable for the satisfaction of any policy of insurance.

Life insurance.

SEC. 11. That the President and Directors shall and may issue certificates for the amount of all moneys deposited with them in trust, which certificates shall be assignable, transferable and payable under such regulations as may be prescribed by the President and Directors, and that all certificates or evidences of deposit and all policies of insurance made by the proper officers shall be as effectual to bind said corporation as if they were under the common seal thereof.

Certificates of deposit.

SEC. 12. That the President and Directors may declare semi-annual dividends of the profits of the company as they may deem proper, but no dividend shall be declared when in the opinion of the majority of the Board the capital stock would be impaired thereby.

Dividends.

SEC. 13. That the President and Directors may appoint an agent in any of the cities or towns, in the State or elsewhere, to receive offerings for insurance and for the transaction of such business of the company as may be confided to him.

Agents.

SEC. 14. That the life insurance department shall be perpetual, but the fire, river and marine insurance department shall be limited to twenty-five years from the passage of this Act.

SEC. 15. That this Act shall be in force from and after its passage.

A. D. 1876.

OFFICE OF SECRETARY OF STATE,

COLUMBIA, S. C., March 6, 1876.

The foregoing Act having been presented to the Governor for his approval, and not having been approved or returned by him to that branch of the General Assembly in which it originated within the time prescribed by the Constitution, has become a law without his approval.

(Signed)

H. E. HAYNE,
Secretary of State.

No. 114. AN ACT AMENDING AN ACT ENTITLED "AN ACT REGULATING THE MANNER OF PAYMENT OF ALL CLAIMS AGAINST THE SEVERAL COUNTIES IN THIS STATE."

County Commissioners not to audit school claims.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 1 of the Act regulating the manner of payment of all claims against the several Counties in this State, line 4, be, and the same is hereby, amended as follows, viz.: Insert after the word "description," in line 4, the words "except school claims." Also, Section 2, line 2, after the word "claim," insert the words "except school claims."

SEC. 2. That it shall be the duty of the Board of County Commissioners, immediately after the adjournment of a term of the Circuit Court, in any County of the State, to hold a meeting for the purpose of examining, approving and allowing the jury, witness and Constable tickets of such term of Court in such manner as is hereinbefore provided.

County Treasurers to pay on order of School Trustees.

SEC. 3. That the said County Treasurers shall pay, on the orders of the Board of School Trustees, countersigned by the County School Commissioner, all moneys which may come into their hands on account of school funds or school taxes or poll taxes; said orders shall be cancelled by the party presenting the same on the payment of the same, and shall be, with the check of the County Commissioners, turned over by the County Treasurers to the County Auditors at the time of their annual settlement, for which the Auditors' official receipts shall be given as the personal voucher of the Treasurer. And in order that the Comptroller General of this State may know the amount of school funds in the hands of the several County Treasurers of this State, it shall be the duty of the State Superintendent of Education, and he is hereby required, immediately upon his annual

Superintendent of Education to furnish Comptroller General with apportionment of school fund.

apportionment of the State appropriation made, for the support of free common schools of this State, to notify the Comptroller General of the same as well as the amount to each County; and it shall also be the duty of the School Commissioner of each County, and he is hereby required, to make to the Comptroller General of this State a certified statement showing by school districts the amount of local or school district taxes levied in the several districts of the respective Counties for each fiscal year, such certified statements to be made on or before November 1 of each year.

A. D. 1876.

School Commissioners to report to Comptroller General.

Approved March 9, 1876.

AN ACT TO AUTHORIZE J. F. SMITH TO ERECT AND MAINTAIN No. 115.
GATES OVER AND ACROSS THE McCORD FERRY ROAD, IN
RICHLAND COUNTY.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That J. F. Smith be, and he is hereby, authorized and empowered to erect and maintain, for a period of two years, two gates over and across the McCord Ferry road, where it passes through the plantation of the said J. F. Smith; the first gate to be near the fourteen-mile post, and the second gate near the fifteen-mile post on the said road, measuring from the city of Columbia.

J. F. Smith to erect gates.

Approved March 10, 1876.

AN ACT TO CHARTER THE LITTLE PEEDEE RIVER NAVIGATION No. 116.
COMPANY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That for the purpose of constructing and maintaining a navigation, freight and passenger line, to be operated with steamboat or boats, from the mouth of Little Peedee River, in the State aforesaid, or at the railroad bridge over the same, to McInnis' Bridge over the same, in said State, Thomas A. Robbins, of the city of Wilmington, State of North Carolina, his successors in office or assigns, are hereby constituted and appointed a corporation, under the name and style of "The Little Peedee River Navigation Company," and by that name

Corporate name.

A. D. 1876.

and style shall have succession, with all the rights, powers and privileges hereinafter granted.

Special powers.

SEC. 2. That the company shall have power to construct draws in all the bridges spanning said river from its mouth to McInnis' Bridge, except the bridge of the Wilmington, Columbia and Augusta Railroad; to build as many warehouses, wharves, breakwaters, canals or cuts as may be necessary, and to enter upon such contiguous lands as the company may desire to occupy as sites for warehouses, wharves, breakwaters and canals, and to take such timber as may be necessary for the construction of the same, and to remove all obstructions of any nature whatsoever from the river. And in case the company is not able to agree with the owner or owners as to the value of any lands or timber necessary for sites, or for the construction of their works, or as to the damages sustained by the removal of obstructions or the cutting of canals, then the value of the same shall be fixed by arbitration, each side choosing one arbitrator, who, not being able to agree upon the value of the property taken or the damages committed, shall choose an umpire, whose decision shall be final. In all cases of arbitration it shall be the duty of the arbitrators to take into consideration the enhanced value of the property of the owner not taken by the construction of the line of navigation as an offset, in whole or in part, for the sites, timber, shoals, fish traps, logs and overhanging trees taken or removed.

Disputes to
be settled by
arbitration.

Exclusive
right to main-
tain navigation
line.

SEC. 3. That the company hereby created shall have the exclusive right to construct and maintain the navigation line between the points aforesaid for steamboat navigation, and for the purposes aforesaid.

SEC. 4. That the company shall have the right, in its corporate name, to sue and be sued, and to plead and be impleaded, in any of the Courts of this State.

SEC. 5. That this Act shall be deemed a public Act, and remain in force for the term of twenty-one years: *Provided*, That the company shall commence the work in two years, and complete it within five years from the passage of this Act.

Approved March 10, 1876.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO REDUCE ALL ACTS AND PARTS OF ACTS PROVIDING FOR THE ASSESSMENT AND TAXATION OF PROPERTY INTO ONE ACT, AND TO AMEND THE SAME."

A. D. 1876.

No. 117.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Sections 35 and 36 of an Act entitled "An Act to reduce all Acts and parts of Acts providing for the assessment and taxation of property into one Act, and to amend the same," be, and is hereby, so amended that the value for taxation of the shares of stock in incorporated banks shall be ascertained by the rules prescribed for unincorporated banks and bankers in Section 40 of the same Act, so that the same rules of valuation and assessment of shares or proportional interests of stockholders shall apply to incorporated or unincorporated banks, whether assessed for State, County or municipal taxation.

Taxation of shares in incorporated banks.

SEC. 2. That Section 107 of said Act be, and the same is hereby, amended by adding to the same the following, to wit: "And the County Treasurers are hereby authorized to lease all real estate forfeited under this Section, to the best possible advantage, for a sum not less than five per centum per annum upon the assessed valuation for the year that the said real estate became forfeited, the rent thereof to be paid quarterly; and for each lease the said Treasurer's fee shall be two dollars, to be paid by the lessee."

County Treasurers to lease forfeited real estate.

SEC. 3. That all Acts and parts of Acts inconsistent with this Act be, and the same is hereby, repealed.

SEC. 4. This Act shall take effect on and after its passage.

Approved March 10, 1876.

AN ACT TO INCORPORATE THE PHARMACEUTICAL ASSOCIATION OF THE STATE OF SOUTH CAROLINA.

No. 118.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That G. J. Luhn, G. W. Aimar, C. F. Panknin, A. W. Eckel, B. F. Moise, E. S. Burnham, A. H. Schwacke, C. O. Michaelis, A. O. Barbot, E. H. Heinitsh, A. H. Davega, W. C. Fisher, A. E. Norman, W. C. McMillin, H. E. Heinitsh, W. A. Gibson, W. H. Harbers, H. Baer, and their associates and successors, are hereby made and

Corporators.

A. D. 1876.

Corporate
name.Powers and
privileges.Amount of
property tena-
ble.Boards of
Examiners.Vacancies
therein.Places of
meeting.Certain powers
conferred on.Granting of
licenses.

created a body politic and corporate, under the name and style of the Pharmaceutical Association of the State of South Carolina.

SEC. 2. That the said corporation hereby created and established shall have succession of officers and members according to its by-laws; and shall have power to make by-laws not repugnant to the laws of the land; and to have, use and keep a common seal, and the same to alter at will; to sue and be sued in any Court in this State; and to have and enjoy every right, power and privilege incident to such corporation; and it is hereby empowered to take, hold, retain, possess and enjoy all such property, real and personal, as may be given, bequeathed or devised to it, or may be acquired by the said corporation by purchase or in any other manner whatsoever; *Provided*, The amount so held shall not exceed the sum of twenty-five thousand dollars, (\$25,000); and to sell, alien or transfer the same or any part thereof.

SEC. 3. That the association hereby incorporated shall elect, annually, four members, who, with two (2) other persons to be appointed by the Medical College of the State of South Carolina, shall constitute a Board of Pharmaceutical Examiners for the city of Charleston, to hold office for the term of one (1) year. And the said association shall elect, annually, four (4) members, who, with two (2) other persons, to be appointed by the Medical Faculty of the University of South Carolina, shall constitute a Board of Pharmaceutical Examiners for the city of Columbia, to hold office for the term of one (1) year. Any vacancy or vacancies occurring in the course of the year in either or both of the above mentioned Boards shall be temporarily filled by the appointment of the President of the said association. The said Boards shall be styled the Boards of Pharmaceutical Examiners, and shall meet, respectively, in Charleston and Columbia once every three (3) months, and keep in session until applicants who have previously made application to the Secretary of the said association shall have been examined. And four (4) members of either of the said Boards shall constitute a quorum for the transaction of business and the granting of licenses.

SEC. 4. That from and after the passage of this Act, the said Board of Pharmaceutical Examiners shall alone possess and exercise all the powers heretofore given and now possessed by the Faculty of the Medical College of the State of South Carolina, and the Medical Faculty of the University of South Carolina, in respect to the license of pharmacutists, apothecaries and druggists.

SEC. 5. That every pharmacist, apothecary or retail druggist who carries on and conducts the business of such occupation in this State after the expiration of three (3) months from the passage of

this Act must have a license therefor from one of the above named Boards; and any person who shall thereafter carry on and conduct the business of said occupations, or any of them, without such license, shall be liable to indictment as for a misdemeanor, and, on conviction, subject to a fine not exceeding five hundred (500) dollars or imprisonment not exceeding six months.

A. D. 1876.

SEC. 6. That before granting said license, except in cases herein-after excepted, each applicant therefor shall undergo an examination by and before that Board to which the application is made, and of such nature as they shall require; but such examination must include the reading of manuscript prescriptions and explanations thereof, the discovery or detection of unusual doses of drugs, and especially poisons, the recognition and distinguishing of the various roots, barks, leaves, fruits, resins and gums in common use, and the proper antidotes and mode of administration thereof for the different poisons.

Applicants
for license to
undergo exam-
ination.

SEC. 7. That no examination shall be required in case the applicant is a regular graduate in medicine or pharmacy of a school that is in the *ad eundem* of the University of South Carolina or the Medical College of the State of South Carolina, but such an applicant shall be entitled to a license upon furnishing evidence of his graduation satisfactory to either of the said Boards and upon payment of a fee of five dollars (\$5) for the license. That in case the applicant undergoes examination the charge for the same and granting the licenses shall not exceed ten dollars, one-half of which shall go, in case the applicant was examined before the Charleston Board, to the Medical College of the State of South Carolina; and in case the applicant was examined in the city of Columbia, to the University of South Carolina; and the balance, in both cases, to the Pharmaceutical Association of the State of South Carolina.

Certain appli-
cants excepted.

License fee.

Disposition
of fees.

SEC. 8. That it shall be the sole duty of the Pharmaceutical Association of the State of South Carolina to establish, carry on and preserve in a book to be kept for the purpose a register of all pharmacutists, apothecaries and retail druggists in the State, including the names of persons registered, place of business, the fact whether the person registered be a graduate in medicine or pharmacy, or whether under license granted on examination, and any other matter of information the said association may see fit to add.

Association
to preserve re-
cord.

SEC. 9. That it shall be the duty of all licensed pharmacutists, apothecaries and retail druggists, by whichever of the said Boards licensed, to have their names registered in manner aforesaid by the Pharmaceutical Association of the State of South Carolina, and to report annually, on or before the first day of November of each year, to the said Pharmaceutical Association of the State of

To register
names of all
pharmacut-
ists, &c.

A. D. 1876.

South Carolina whether any, and, if yea, what change has occurred within the then preceding year as to their respective places of business; and for omission or neglect of the requirements of this Section, or any of them; they shall, respectively, incur a fine of twenty-five dollars; and for each and every registration, or change thereof, the party so registered shall pay to the Secretary of said association the sum of one dollar, which shall be their compensation for the services performed in accordance with the provisions of this Act.

To make report to General Assembly.

SEC. 10. That it shall be the duty of the Pharmaceutical Association of the State of South Carolina to make a correct report to the General Assembly of work done by them in accordance with the provisions of this Act on or before the first day in December in each year.

Sale of poison.

SEC. 11. That every pharmacist or other person selling any poison shall be satisfied that the purchase is made for legitimate purposes, and shall keep a book in which shall be recorded every sale of the following articles, viz.: arsenic and its preparations, all metallic cyanides and cyanides of potassium, tartar emetic, corrosive sublimate, aconite and its preparations, strychnine and all other poisonous alkaloids and their salts, cantharides, ergot, hydrocyanic acid; the said record also to exhibit the name of the person to whom sold, place of his residence, and purpose of purchase as stated; which book shall be kept at all times subject to the inspection of the Coroner of the County and the solicitor of the said association, or such other persons as either of them may designate.

SEC. 12. That all persons in this State engaged in business as pharmacutists, apothecaries or druggists, either in the wholesale or retail of drugs, shall, to every bottle, vial, box or other package containing any poison named in the preceding Section, or any one or more of the following articles, viz.: oxalic acid, chloroform, belladonna and its preparations, opium and all its preparations except paregoric, digitalis and its preparations, henbane and its preparations, hemlock or conium, or any other article that may be added to this list by the Pharmaceutical Association of the State of South Carolina, securely attach a label, whereon shall be either printed or legibly written with red ink the name of the poison and the name of at least one antidote, with brief directions as to the mode of using the same: *Provided*, That nothing herein contained shall be construed to apply to the filling of prescriptions made by regular physicians: *And provided, further*, That it shall be the duty of the Boards of Pharmaceutical Examiners, or either of the said Boards, on application at the time of registration, to furnish to the party registering a form of label for poisons.

SEC. 13. That this Act shall not be construed to prevent merchants and shopkeepers from vending or exposing for sale medicines already prepared: *Provided*, Such merchants and shopkeepers shall attach to the article sold a copy of the label attached thereto by wholesale druggists, and in the sale of poisons shall comply with the provisions of Sections 11 and 12 of this Act.

A. D. 1876.
Sale of patent medicines.

SEC. 14. That it shall not be lawful for the proprietor of any pharmaceutical shop to allow any person not qualified in accordance with the provisions of this Act to dispense of poisons or compound the prescriptions of physicians; and any person who, upon indictment for a violation of this Section, shall be convicted of the same, shall pay a fine not exceeding five hundred dollars, or suffer imprisonment for a period of not more than six months.

Unqualified persons not to compound prescriptions.

SEC. 15. That this Act shall not be construed so as in any way whatsoever to affect those who have, previous to the date of the passage of the same, obtained a license from the Medical Faculty of the University of South Carolina or the Faculty of the Medical College of the State of South Carolina, nor in any way deprive the said Faculties of granting diplomas to pharmacutists, apothecaries and druggists who may have duly graduated in the Medical College of the State of South Carolina or the Medical Department of the University of South Carolina, respectively, by virtue of which the said graduates shall be entitled to license, without examination, upon payment of a fee of five dollars, as above mentioned.

Not to affect persons licensed by Faculty of University or Medical College of S. C.

SEC. 16. That the said association is hereby authorized, through and by its solicitor, or otherwise, as it may deem most expedient, to prosecute all persons violating the provisions of this Act, or any of them.

SEC. 17. That all Acts or parts of Acts inconsistent with or repugnant to this Act are hereby repealed.

Approved March 10, 1876.

AN ACT TO INCORPORATE THE SEA ISLAND STEAMBOAT COMPANY. No. 119.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Douglass Nesbit, Julian Mitchell, Peter Toglio, Carl Berlin, H. C. Lancaster, Smith Howe, H. A. Towles, W. C. Geraty, F. Towles, William Harrison, Peter Bright, and such other persons as may become members, be, and they are hereby, declared a body politic and cor-

Corporators.

A. D. 1876.
 Corporate name. Powers and privileges.
 porate, by the name of the Sea Island Steamboat Company, for the purpose of carrying passengers and transporting freight between the city of Charleston and any other place or places within this State; and by that name may sue and be sued, plead and be impleaded, in any Court in this State; may have a common seal; may purchase, hold and convey real estate to any amount not exceeding forty thousand dollars, and may have and enjoy all the rights, powers and privileges incident to a corporation: *Provided*, That it does not interfere or conflict with the chartered rights of other corporations of a similar kind.

Special powers. SEC. 2. That said company shall have the privilege of erecting wharves at convenient points along said routes below the low water mark of the streams; and said wharves, when so built, shall become the property of, and be absolutely vested in, said company: *Provided, however*, The said company, in building such wharves, do not commit any trespass upon the lands of individuals against their consent: *And provided, further*, That said wharves do not extend so far into the stream as to impede the free navigation thereof.

Capital stock. SEC. 3. That the capital stock of said company shall be fifty thousand dollars, in shares of twenty dollars each, with a privilege of increasing the same, from time to time, to any amount not exceeding one hundred thousand dollars; and every member of the
 Liability of stockholders. said company shall be individually liable for all debts contracted during the time he or she shall be a member or shareholder in the said company to the extent of the par value of his or her shares in the same, and shall be answerable in any action at law therefor against him or her, notwithstanding the non-joinder of the other shareholders, or any of them, at any time after the return of *nulla bona* may have been duly made upon any execution issued against the said company. But nothing herein contained shall be construed to deprive any of the shareholders of any equitable rights or the creditors or the other shareholders of the said company.

Organization. SEC. 4. That the first meeting of the said corporation may be called by the persons, or a majority of them, named in this Act, at such time and place as they may think fit, after due public notice thereof; and at said meeting, or any subsequent meeting, said corporation may make, alter, amend or repeal such by-laws and regulations for the organization of the same, and management of the business thereof, as a majority of the stockholders may direct.

SEC. 5. That this Act shall be taken and deemed to be a public Act, and continue in force for twenty years.

Approved March 10, 1876.

AN ACT RELATIVE TO THE PLATES, FORMS AND ENGRAVINGS OF
THE BILLS OF THE BANK OF THE STATE OF SOUTH CAROLINA.

A. D. 1876.

No. 120.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That it shall be the duty of the Comptroller General of this State, and he is hereby authorized and directed, immediately on the passage of this Act, to secure possession of the plates, forms and engravings from which the bills or notes of the Bank of the State of South Carolina have been printed, and to cause the same to be defaced so that they will be rendered useless; after which the said plates, forms and engravings shall be preserved in the vaults of the Comptroller General's Department.

Comptroller
General to se-
cure plates, &c.

Approved March 10, 1876.

AN ACT TO INCORPORATE THE SOUTH ISLAND WHARF COMPANY. No. 121.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Alfred G. Trenholm, Francis L. Frost, William Miles Hazzard, William P. Ravenel, Arthur Morgan, and their associates and successors, be, and are hereby, created a body politic and corporate, under the name and style of "The South Island Wharf Company."

Corporators.

Corporate
name.

SEC. 2. That the said company shall have and keep a common seal, and the same alter at pleasure, and by their corporate name sue or be sued, implead or be impleaded, in any of the Courts of this State; and shall be able and capable in law to purchase, take, hold and enjoy, and the same to alien at will, any estate, real or personal, not exceeding in value five thousand dollars.

Powers and
privileges.

SEC. 3. That the capital stock of said company shall be divided into shares of twenty-five dollars each.

Capital stock.

SEC. 4. That the said company shall have power to make rules and regulations and by-laws not repugnant to the laws of the land, and to have succession of officers and members.

Rules and
by-laws.

SEC. 5. That the said company are hereby authorized and empowered to erect and build a wharf at the entrance of Georgetown harbor, between North and South Islands, at a sufficient depth of water for steamboats and other craft to lay alongside of it, and to connect the said wharf with the land on South Island by a bridge from said wharf to any point of land on South Island; and the said company are hereby authorized and empowered, in the event of

Special powers.

A. D. 1876.

either the said wharf or bridge being destroyed by fire, gales, or in any other manner, to rebuild and repair the same whenever it may be necessary; and the said company are authorized to levy and collect reasonable toll and wharfage from steamboats and other craft carrying persons or freight and touching or landing at the said wharf, and also wharfage and storage on all articles landed at or shipped from said wharf.

SEC. 6. This Act shall be deemed a public Act, and shall remain in force for twenty-one years: *Provided*, That the company shall commence the work in two years and complete it within five years from the passage of this Act.

Approved March 10, 1876.

No. 122. AN ACT TO AMEND CHAPTER LXXXV OF THE REVISED STATUTES, RELATING TO THE DISTRIBUTION OF INTESTATES' ESTATES.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Chapter LXXXV of the General Statutes, relating to the distribution of intestates' estates, be, and the same is hereby, amended by making the following sub-division 13 of Section 2 of the said Chapter, viz.: "13. If the intestate shall not leave, or have left, a child or other lineal descendant, or brothers or sisters, or brother or sister of the whole blood or their lineal descendants, but shall leave, or have left, a widow and a father or mother, the widow shall be entitled to one moiety of the estate, and the father, or, if he be dead, the mother, shall be entitled to the other moiety."

When widow and father and mother to share equally.

Approved March 10, 1876.

No. 123. AN ACT TO DIRECT THE COUNTY COMMISSIONERS OF SPARTANBURG COUNTY TO CLOSE A CERTAIN ROAD IN SAID COUNTY.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Spartanburg County be, and they are hereby, authorized, empowered and directed to close up and discontinue the public road running through the lands of William Alexander, leading from the Spartanburg Road to the Unity Church Road.

Approved March 10, 1876.

AN ACT TO PROVIDE FOR THE EDUCATION OF MINOR CHILDREN
IN THE CITY OF COLUMBIA AND COUNTY OF CHARLESTON.

A. D. 1876.

No. 124.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That should any parent, guardian, person or persons having the control or custody of a minor child or children, between the ages of eight and sixteen, residing within the corporate limits of the city of Columbia and in the County of Charleston, refuse or neglect to send such minor child or children to school, (either private or public,) unless a good and sufficient reason therefor can be given, he, she or they, as the case may be, shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be fined in a sum not exceeding ten dollars, or imprisoned for a term not exceeding fifteen days, or both, in the discretion of the Court.

Children be-
tween 8 and 16
to attend
school.

Approved March 10, 1876.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE CERTAIN RELIGIOUS AND CHARITABLE SOCIETIES, AND TO RENEW AND AMEND THE CHARTERS OF OTHERS HERETOFORE GRANTED," APPROVED FEBRUARY 6, 1873. No. 125.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 2 of an Act entitled "An Act to incorporate certain religious and charitable societies, and to renew and amend the charters of others heretofore granted," approved February 6th, 1873, be, and the same is hereby, amended as follows: Strike out the words "twenty-one" in said Section and insert in lieu thereof the words "ninety-nine."

"Ninety-
nine" inserted
instead of
"twenty-one."

OFFICE OF SECRETARY OF STATE,

COLUMBIA, S. C., March 14, 1876.

The foregoing Act having been presented to the Governor for his approval, and not having been approved or returned by him to that branch of the General Assembly in which it originated within the time prescribed by the Constitution, has become a law without his approval.

(Signed)

H. E. HAYNE,
Secretary of State.

A. D. 1876. AN ACT TO INCORPORATE THE TOWN OF CHESNUT GROVE, IN
No. 126. THE COUNTY OF CHESTER.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all persons, citizens of the United States and of this State, who now are or hereafter may be inhabitants of the town of Chesnut Grove, shall be deemed, and are hereby declared, a body politic and corporate; and said town shall be called and known by the name of Chesnut Grove; and its limits shall be deemed and held to extend one-fourth of a mile in each direction from the depot of the Charlotte, Columbia and Augusta Railroad Company in said town.

Corporate
limits.

Officers.
Time of holding
election.

Charter of
Ninety-Six to
apply to.

SEC. 2. That the said town shall be governed by an Intendant and four Wardens, who shall be elected on the first Tuesday in March, 1876, and on the first Tuesday in March of every year thereafter.

SEC. 3. That the provisions of the charter of the town of Ninety-Six, incorporated by an Act entitled "An Act to incorporate the town of Ninety-Six," approved March 13, 1872, be, and the same are hereby, held and declared to extend to and be of force as to the town of Chesnut Grove.

OFFICE SECRETARY OF STATE,

COLUMBIA, S. C., March 14, 1876.

The foregoing Act having been presented to the Governor of this State for his approval, and not having been approved or returned by him to that branch of the General Assembly in which it originated within the time prescribed by the Constitution, has become a law without his approval.

(Signed)

H. E. HAYNE,
Secretary of State.

No. 127. AN ACT TO AUTHORIZE AND EMPOWER H. V. MASSY TO ERECT AND MAINTAIN GATES ACROSS A CERTAIN PUBLIC ROAD IN LANCASTER COUNTY.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That H. V. Massy be, and he is hereby, authorized and empowered to erect and maintain gates across a certain public road in the County of Lancaster, leading from Brown's Ferry to the town of Camden: *Provided*, That said gates shall be kept in good repair, and constructed in such manner as will afford the least trouble in passing the same.

H. V. Massy
to erect gates.

Approved March 20, 1876.

AN ACT TO AUTHORIZE AND REQUIRE THE COUNTY COMMISSIONERS OF SPARTANBURG, GREENVILLE AND UNION COUNTIES TO PURCHASE AND CANCEL CERTAIN BONDS.

A. D. 1876.

No. 128.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That after the payment of the interest due in each and every year upon the bonds subscribed by the Counties of Spartanburg and Greenville to the Atlanta and Richmond Air Line Railway, and by the Counties of Spartanburg and Union to the Spartanburg and Asheville Railroad, if there should be any surplus left of the fund levied respectively in the Counties aforesaid for the purposes aforesaid, the said surplus shall be at once applied by the County Commissioners aforesaid to the purchase of the bonds aforesaid at the lowest market price of the same. That the surplus fund arising from the levy to meet interest on the bonds subscribed to the Atlanta and Richmond Air Line Railway shall be applied to the purchase of said bonds, and the surplus fund arising from the levy to meet interest on the bonds subscribed to the Spartanburg and Asheville Railroad to the purchase of said bonds.

Surplus of interest fund to be applied to purchase of bonds.

SEC. 2. That the said County Commissioners shall make a published statement in one of the newspapers of their respective Counties of the amount of the said surplus fund, the number and denomination of the bonds so purchased, and the price paid for the same, together with the certificate of the Board of County Commissioners that the said bonds have been canceled.

Statement of bonds purchased to be published.

Approved March 20, 1876.

AN ACT TO AUTHORIZE GEORGE HOLMES TO CONSTRUCT A WHARF IN THE TOWN OF BEAUFORT, AND TO COLLECT WHARFAGE. No. 129.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That George Holmes be, and he is hereby, authorized to build a wharf to deep water, in front of the property owned by him in the town of Beaufort, and in front of West street, adjoining said property: *Provided*, That said street shall not be obstructed with any buildings or close fences; collect wharfage on the same, and to use, sell or lease said wharf for his own use and behoof, subject to any laws now existing or hereafter to be made in reference to said property.

Geo. Holmes to build wharf.

Not to obstruct streets.

A. D. 1876.

SEC. 2. That the franchise herein granted is vested in the said George Holmes, his heirs, executors, administrators and assigns, for the term of ninety-nine years.

Approved March 20, 1876.

No. 130. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE TOWN OF PORT ROYAL, IN THE COUNTY OF, BEAUFORT AND STATE OF SOUTH CAROLINA."

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to incorporate the town of Port Royal, in the County of Beaufort and State of South Carolina," approved March 9, 1874, be amended as follows: Strike out the words "twenty-eight," in Section 1, line 14, of said Act, and insert the word "fifteenth."

Appointment
of Marshal.

SEC. 2. In Section 5, on line 19, strike out all after the word "appoint" down to and including the word emoluments, on the twenty-second line, and insert the following: "A proper person to act as Marshal or Constable, who shall have power to summons assistance, when necessary, to aid him in enforcing the laws and ordinances in the discharge of his duty."

Appointment
of Clerk.

SEC. 3. In Section 6 strike out all after the word "Council," on the first line, down to and including the word "further," on the fourth line, and insert the following: "Shall not, directly or indirectly, receive any compensation for services rendered said corporation; that said Council shall have power to appoint their Clerk, whose duties shall be regulated by ordinance of the Council; that said Council shall have power to revoke the appointment of such Clerk, as also that of the Marshal and of each and every officer by said Council appointed; that the salary of said Clerk of the Council shall not exceed two hundred dollars per annum, and that the salary of the Marshal or Constable shall not exceed three hundred and fifty dollars per annum; that said Council shall have power to appoint a Board of Equalization, whose duty shall be such as is required under the General Statutes for State and County purposes; that in no case shall such Board of Equalization raise the valuation of real or personal property above that made and verified by the property owner or the proper officers, assessors or County Auditor and the Board of Equalization for County and State purposes; that said Council shall have power to impose an annual tax upon real and personal property within the limits of said corporation, not to exceed fifty cents on

Board of
Equalization.

Imposition of
taxes.

one hundred dollars. The said Council shall require the Clerk to make full record of all fines imposed and collected, and the use made thereof, as also of all licenses granted and the application of all funds received therefor. That said Clerk, by virtue of his office, as such, shall also discharge the duties of Treasurer of the said corporation, and shall be required to give good and sufficient bond, with undoubted security, to be approved and accepted by the aforesaid Council.

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Record of fines
to be kept.

SEC. 4. That this amended Act shall be deemed a public Act in all Courts of justice, and shall be in force until repealed, and all laws at conflict with its provisions are hereby declared abolished and of no effect; and said amended Act to take effect from and after its passage, except as to the amended limits of said corporation; and so much as pertains to the limits, as amended, shall be in full force and effect from and after the next annual election of officers of said town corporation.

Approved March 20, 1876.

AN ACT TO PERMIT NICHOLAS STANNEA TO ADOPT CLARA ERNESTINE BELL AND MAKE HER HIS LAWFUL HEIR, AND TO CHANGE HER NAME TO CLARA ERNESTINE LAUENSTEIN STANNEA. No. 131.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Nicholas Stannea is hereby authorized and empowered to adopt Clara Ernestine Bell, make her his lawful heir, and that the name of the said Clara Ernestine Bell shall be changed to Clara Ernestine Lauenstein Stannea.

Approved March 20, 1876.

AN ACT TO AUTHORIZE CERTAIN PARTIES TO REMOVE ROCKS OBSTRUCTING PATTERSON'S FORD, ON ALLISON'S CREEK, IN YORK COUNTY. No. 132.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Benjamin F. Briggs, John Nichols and Franklin H. Brown be, and they are hereby, authorized and empowered to remove the rocks obstructing Patterson's

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Ford, on Allison's Creek, in York County: *Provided*, That no expense for such removal be thereby entailed on the State or County of York.

Approved March 20, 1876.

No. 123. AN ACT TO AUTHORIZE AND EMPOWER THE COUNTY COMMISSIONERS OF HORRY COUNTY TO OPEN AND ESTABLISH CERTAIN PUBLIC ROADS, AND TO DISCONTINUE A CERTAIN PUBLIC ROAD IN SAID COUNTY.

County Commissioners to open roads.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Horry County be, and they are hereby, authorized and empowered to lay out, open, establish and keep in repair the following public roads, to wit: One leading from Socastee Methodist Church to a point at or near William Thompson's, on the public road leading from Conwayboro to Little River, by way of Weathers' Swamp Bridge and Peter Vaught's; one leading from Little River village to Hickman's Cross Roads, or to a point on the public road leading from Read Bluff to Hickman's Cross Roads, by way of Stanley's Bridge, on the Waccamaw River, touching the North Carolina line near D. M. Butler's; one leading from Little River village to the North Carolina line, at or near Indian Stump Savannah.

To discontinue certain road.

SEC. 2. That the County Commissioners of Horry County be, and they are hereby, authorized and empowered to discontinue the Sea Side Road, leading from Canaan Church to the Ark, in said County.

Approved March 20, 1876.

No. 134. AN ACT TO AUTHORIZE THE GRANGERS' LIFE AND HEALTH INSURANCE COMPANY TO CREATE AND ESTABLISH A STATE DEPARTMENT IN THE STATE OF SOUTH CAROLINA.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Grangers' Life and Health Insurance Company of the United States of America, incorporated by and under the laws of the State of Ala-

bama, be, and the same is hereby, authorized and empowered to create and establish in this State a State department whenever there shall be subscribed and paid in to the said company, or secured to the satisfaction of the President and General Board of Directors thereof, one hundred thousand dollars as capital stock for such State department so created and established, the said stock to be subscribed for and owned by, and the Directors of said State department to be citizens of, the State of South Carolina.

SEC. 2. That whenever said State department shall be created and established, the said Grangers' Life and Health Insurance Company shall be regarded as a home company, and shall be entitled to, and may exercise and enjoy, all the rights, privileges, immunities and exemptions of life insurance companies incorporated under the laws of the State of South Carolina: *Provided*, There shall be loaned and kept loaned in said department, a sum equal to at least ninety per cent. of the capital stock owned by the resident members in said department, and also a sum equal to the net present value, or premium reserve, as fixed by the company's standard of valuation of all policies in force in the department upon the lives of persons resident therein: *And provided, further*, That the evidences of said loans shall be held and retained in the office of the Board of Directors of said State department: *And provided, further*, That no stockholder, as such, shall be personally responsible for any debt, loss or other liability of the said company beyond the amount of capital stock subscribed and paid in by him.

SEC. 3. That it shall be the duty of the Comptroller General, or other officer designated by law, whenever it shall be shown to him that such State department has been created and established, to give to the President, Manager, General Agent, or any other agent of said company, a certificate stating the same, and authorizing it to do business as a domestic life insurance company of the State of South Carolina: *Provided*, That nothing herein contained shall prevent the Comptroller General from examining into the condition, solvency and security of the said Grangers' Life and Health Insurance Company, and, if found to have less than one hundred thousand dollars (\$100,000) of unimpaired paid-up capital, from refusing to license the said company to do business in this State.

SEC. 4. That all laws or parts of laws contravening the provisions of this Act be, and the same are hereby, repealed.

Approved March 20, 1876.

A. D. 1876.

Capital stock.

Directors.

When to be regarded as a home company.

Loans of capital.

Liability of stockholders.

Comptroller General to grant certificate.

And may examine into solvency.

A. D. 1876.

No. 135.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO GRANT, RENEW AND AMEND THE CHARTERS OF CERTAIN TOWNS AND VILLAGES HEREIN MENTIONED," AS RELATES TO THE VILLAGE OF ST. STEPHEN'S.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 3 of an Act entitled "An Act to grant, renew and amend the charters of certain towns and villages herein mentioned" be amended by striking out so much as relates to the Commissioners of Election of Charleston County and their counting the votes and declaring who is elected, and the following be inserted in its stead: "That on the 4th Monday in March, 1876, the following named persons shall conduct the first election under this Act, and perform all the duties of the Commissioners of Election, viz.: J. M. Wilder, P. F. Sparkman and Thomas Jenkins. They shall make a statement of the election, and file the same with the Clerk of the Court of Charleston County, showing the number of votes each person got, and who is elected Intendant and Wardens of the said town, and furnish the persons so elected with a certificate of their election; after which all elections held in said town shall be conducted in accordance with the charter."

Time of holding election.

Conduct of.

Approved March 20, 1876.

No. 136. AN ACT TO PROVIDE FOR THE ASSESSMENT OF REAL ESTATE IN THE COUNTIES OF DARLINGTON, LAURENS AND ANDERSON IN 1876.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an assessment of the real estate in the Counties of Darlington, Laurens and Anderson shall be made in the year one thousand eight hundred and seventy-six, at the same time that the assessment of personal property is made, and in the manner, and according to the rules, prescribed for the assessment of real property in the "Act to reduce all Acts and parts of Acts providing for the assessment and taxation of property into one Act, and to amend the same," approved March 19, 1874.

Re-assessment to be made in accordance with prescribed rules.

Approved March 20, 1876.

AN ACT TO INCORPORATE THE MERCANTILE WHARF COMPANY,
OF CHARLESTON.

A. D. 1876.

No. 137.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Joseph L. Tobias, E. Waltjen, J. H. Haesloop, F. W. Wagener, Wm. Knoblock, Jr., and Henry Bulwinkle, their associates, successors and assigns, and such other persons who may hereafter be associated with them, be, and they are hereby, created a body politic and corporate, by the name of the Mercantile Wharf Company.

Corporators.

Corporate name.

Capital stock.

SEC. 2. That the capital stock of this company shall be twenty-five thousand dollars, to be divided into shares of fifty dollars each, with the privilege of increasing said capital stock to two hundred and fifty thousand dollars, or any less sum, at the discretion of the company; and the said company is authorized to commence business as soon as the sum of twenty thousand dollars shall have been subscribed and paid in.

SEC. 3. That said company shall be under the management of a Board of Directors, to consist of such a number of stockholders as the company may from time to time deem requisite, and this Board of Directors shall be elected annually, and shall choose from their number a President, who shall also be President of the company. The said company shall have such other officers and agents as their by-laws and rules, which they are hereby authorized to make, shall require.

Officers.

SEC. 4. That said company may have and keep a common seal, may sue and be sued in any Court in this State, and may hold, lease, mortgage or convey real and personal estate, or either, to any extent not exceeding in amount their capital stock.

Powers and privileges.

SEC. 5. That each stockholder shall be entitled to as many votes as he shall have shares in the stock of the company, and that each stockholder shall be liable for the debts of said company to an amount not exceeding ten per cent. of the par value of the share or shares held by such stockholder during the time the debt was contracted.

Liability of stockholders.

Approved March 20, 1876.

AN ACT TO CONFER THE RIGHTS OF LEGITIMACY UPON FRANK
LEVY GOSS, OF THE COUNTY OF KERSHAW, SOUTH CAROLINA.

No. 138.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly,
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Frank Levy
Goss legitim-
ized.

and by the authority of the same, That Frank Levy Goss, son of Frank Goss, of the County of Kershaw, born out of wedlock, be, and he is hereby, invested with all the rights and privileges of a legitimate child in the same manner and to the same extent as if he had been born in lawful wedlock.

Approved March 20, 1876.

No. 139. AN ACT TO ESTABLISH A FERRY ACROSS THE WACCAMAW RIVER, IN HORRY COUNTY, AND TO VEST THE SAME IN MRS. CHARLOTTE A. BROCK, HER HEIRS AND ASSIGNS, AND TO RELIEVE THE COUNTY OF HORRY FROM THE MAINTENANCE THEREOF.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That a public ferry be, and is hereby, established and chartered to reach across the Waccamaw River, in Horry County, to be known as Cox's Ferry, and that the said ferry be vested in Mrs. Charlotte A. Brock, her heirs and assigns, for a term of fourteen years, and that the following rates of toll be charged, and no more: For every four-horse carriage or vehicle, one dollar; for every two-horse carriage or vehicle, seventy-five cents; for every one-horse carriage or vehicle, twenty-five cents; for every single horse and rider, ten cents; for every foot passenger, five cents; for every head of cattle, goats and hogs, five cents: *Provided*, That children going to and coming from school, and voters going to and returning from elections, militia going to and returning from muster, and clergymen, be passed free from toll.

SEC. 2. That the County of Horry be, and it is hereby, relieved from the maintenance of the above chartered ferry.

Approved March 21, 1876.

No. 140. AN ACT TO REPEAL AN ACT ENTITLED "AN ACT FOR THE RELIEF OF THE WIDOWS AND ORPHANS OF PERSONS KILLED BECAUSE OF THEIR POLITICAL OPINIONS," IN SO FAR AS IT RELATES TO THE COUNTY OF CHESTERFIELD.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act

entitled "An Act for the relief of the widows and orphans of persons killed because of their political opinions," approved March 13, 1872, be, and the same is hereby, repealed; in so far as it relates to the County of Chesterfield: *Provided*, Nothing in this Act shall prevent the levy and collection of the tax for the fiscal year ending October 31, 1876.

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Repealed as relates to Chesterfield.

SEC. 2. That all taxes collected under the operations of said Act shall be retained in the hands of the County Treasurer, to be paid out upon the orders of the Board of County Commissioners, and applied exclusively to the payment of the indebtedness of said County due prior to March 8, 1875.

Moneys collected to be applied to payment of past indebtedness.

Approved March 21, 1876.

AN ACT TO INCORPORATE THE TOWN OF BLACK'S STATION, IN THE COUNTY OF YORK, ON THE AIR LINE RAILROAD. No. 141.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act, all citizens of this State who have resided thirty days in the town of Black's Station shall be deemed, and are hereby declared to be, a body politic and corporate, and the said town shall be called and known by the name of Black's Station, and its corporate limits shall extend one-half mile each way from the depot, in all directions, and shall include a square formed upon the extremities of lines so drawn.

Corporators.

Corporate limits.

SEC. 2. That said town shall be governed by an Intendant and four Wardens, who shall be citizens of this State, and shall have been residents of the said town for sixty days immediately preceding their election, and who shall be elected by the qualified voters of said town on the fourth Monday in April, 1876, and on the same day in every year thereafter, ten days' public notice thereof being previously given, and that all the male inhabitants of the age of twenty-one years, citizens of this State, who shall have resided in the said town for sixty days immediately preceding the election, shall be entitled to vote for said Intendant and Wardens.

Officers.

Time of holding election.

Qualification of electors.

SEC. 3. That said corporation shall have the same powers and privileges, and be subject, in every respect, to the provisions of the charter granted to the village of Rock Hill, South Carolina, by an Act entitled "An Act to grant and amend the charter of the village of Rock Hill, in the County of York," approved March 4, 1872.

Charter of Rock Hill to apply to.

Approved March 21, 1876.

A. D. 1876.

No. 142.

AN ACT TO INCORPORATE THE BLUE RIDGE MANUFACTURING COMPANY.

- SECTION 1.** *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Gilbert J. Greene, Jerome Greene and Frank Greene, their heirs, associates and assigns, who may hereafter subscribe to the capital stock of the company herein incorporated, are hereby made and created a body politic and corporate, in law, by the name of the Blue Ridge Manufacturing Company, for the purpose of spinning, weaving, dyeing or printing cotton or woollen goods, or manufacturing articles of wood or iron, or the machinery to manufacture the same, and for the transaction of a general mercantile or such other business as may necessarily be connected therewith; and may purchase, hold or lease such lands, and may erect buildings, mills or machinery thereon, as may be deemed necessary to carry on the various branches of such manufacture.
- SEC. 2.** That the capital stock of said company shall be fifty thousand dollars, with power to increase the same to five hundred thousand dollars, to be paid for in money, leases, real estate or machinery.
- SEC. 3.** That the said corporation may purchase, lease, hold, improve or cultivate such real estate as may be required for the purposes of said corporation, or such as they may be obliged, or may deem it to their interest, to take in the settlement of any debt due to the said corporation, and may dispose of the same; and may sue and be sued in all the Courts of law or equity; and may use a common seal, and make such by-laws for the regulation and government of said corporation as are not inconsistent with the Constitution and laws of the United States and of this State.
- SEC. 4.** That the said corporation shall have power to mortgage their property or issue coupon bonds thereon, with principal or interest payable in gold or currency, and make the same payable at any place, within or without the State, as may best serve the interest of the company or the holders of such bonds or mortgages.
- SEC. 5.** That the corporation herein named, within thirty days after the passage of this Act, may meet and proceed to organize and elect such officers as they may deem necessary for transacting the business of such company, who shall hold office till their successors are elected.
- SEC. 6.** That the said corporation may go into operation when the sum of fifty thousand dollars is subscribed to the capital stock of such company, or whenever five per cent. of the capital stock

shall have been paid in; and such stock shall be paid for in such sums and at such times as the President and a majority of the Directors of said corporation shall determine, and such stock shall be transferable upon the books of the company to such persons as the holders of the same shall direct.

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SEC. 7. That the said corporation shall be entitled to all the rights, privileges and immunities accorded to manufacturing companies by the general laws of this State.

SEC. 8. That this Act shall be deemed and taken as a public Act, and continue in force for the term of thirty years.

Approved March 21, 1876.

AN ACT TO ESTABLISH A PUBLIC FERRY ACROSS THE WACCA- No. 143.
MAW RIVER, IN HORRY COUNTY, TO BE KNOWN AS PEACHTREE
FERRY, AND THE SAME TO BE VESTED IN C. A. DELETTE.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That a public ferry, to be known as "Peachtree Ferry," on the Waccamaw River, in Horry County, be established, and the same be vested in C. A. Delette, his heirs and assigns, for a term of fourteen years.

Peachtree
Ferry estab-
lished.

SEC. 2. That the said C. A. Delette shall be allowed to charge and collect the following rate of toll, and none other, at said ferry, to wit: For every four wheel carriage drawn by four horses or mules, each way, one dollar; for every four wheel carriage drawn by three horses or mules, seventy-five cents; for every four wheel carriage drawn by two horses or mules, fifty cents; for every four wheel carriage drawn by six oxen or mules, seventy-five cents; for every four wheel carriage drawn by three oxen or mules, thirty-five cents; for every four wheel carriage drawn by one ox or mule, twenty-five cents; for every person on horseback leading or driving a horse or mule, ten cents; for every led horse or mule accompanying a person on horseback, five cents; for every head of cattle, three cents; for every horse or mule in drove, five cents; for every hog, sheep or goat, two cents; for every animal for show, in addition to carriage in which it may be conveyed, fifty cents; for every foot passenger, each way, five cents: *Provided*, The following persons shall be exempt from paying any toll, to wit: Every regularly ordained minister of the gospel, every member of the Legislature going to or returning from its sitting, all persons going and returning from divine service, all militia and persons traveling in the

Rates of toll.

Persons ex-
empt from pay-
ment thereof.

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performance of any civil or military duty: *Provided, further,* The said incorporator shall comply with all the laws and regulations of this State during the term of its charter, only as otherwise herein provided. That children going or returning from school shall be exempt from paying any toll.

Approved March 21, 1876.

No. 144. AN ACT TO AUTHORIZE THE TOWN COUNCIL OF THE TOWN OF DARLINGTON TO ADOPT, LAY OUT, OPEN, WIDEN, EXTEND AND ALTER STREETS.

Town Council
to open certain
streets.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Town Council of the town of Darlington, in the County of Darlington, be, and they are hereby, authorized and empowered to lay out, adopt, widen, extend or otherwise alter the streets now in use, and open and keep in repair all such new streets, roads and ways within its corporate limits, as they may, from time to time, deem necessary for the improvement or convenience of said town.

May take pos-
session of land
on payment of
assessed value.

SEC. 2. That should the land owner or owners through whose premises any such street, road or way may pass, refuse his or their consent to such action of the Town Council in laying out, opening, widening or altering such streets, roads or ways, the said Town Council shall have the right to take possession of all such land, necessary to carry out the provisions of Section 1 of this Act, upon payment of the assessed value thereof to the party or parties owning such land; such assessment to be made by a board of five disinterested freeholders of said town, two of said board to be appointed by said Town Council, and two by the parties owning such land, and the fifth to be selected by the four appointed as above.

Approved March 21, 1876.

No. 145. AN ACT TO AUTHORIZE AND EMPOWER JOHN ROBERTS, A TRIAL JUSTICE, IN BEAUFORT COUNTY, TO CHANGE HIS DOMICILE.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That John Roberts, a Trial Justice in and for the County of Beaufort, be, and

he is hereby, authorized and empowered to change his domicile to the town of Almeda, in said County.

A. D. 1876.

SEC. 2. That all Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved March 21, 1876.

AN ACT TO DECLARE THE LAW WITH REGARD TO THE RIGHTS OF SURETIES. No. 146.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act, the payment of a debt secured by judgment or decree by a surety shall not operate as a satisfaction of such judgment or decree against the principal debtor, but by such payment the said surety shall be entitled to all the rights and privileges of the plaintiff in said judgment or decree.

Payment of debt by surety not a satisfaction against principal debtor.

SEC. 2. That in case any surety in such judgment or decree shall pay the same, such payment shall not operate as a satisfaction of such judgment or decree as against the co-surety or sureties thereto, but such surety shall have the right to enforce the execution on such judgment or decree against his co-surety or sureties for contribution.

Surety to have right to enforce execution against co-surety.

Approved March 21, 1876.

AN ACT TO INCORPORATE THE BEAUFORT AND PORT ROYAL TURNPIKE COMPANY. No. 147.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That S. M. Wallace, W. J. Whipper, Samuel Green, P. L. Wiggin, R. H. Gleaves, F. W. Schipper, Thomas Hamilton, Robert Smalls, William Kressell, John Frantz, William McGill and Walley Green, and their associates and assigns, be, and they are hereby, declared a body politic and corporate in law and in fact, under the name and style of the Beaufort and Port Royal Turnpike Company; and by the said name and style shall have succession of officers and members, to be elected or appointed according to such by-laws and regulations as they may deem fit and proper to establish for the government of the said corporation; and that they may have a

Corporators.

Corporate name.

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Powers and
privileges.

common seal, with power to break, alter and make new the same as often as they judge expedient, and all the powers, privileges and franchises incident to a corporation.

Special pow-
ers.

SEC. 2. That the said corporation shall be able and capable in law to purchase, have, hold, take, receive, possess, retain and enjoy to itself any estate, real or personal, of whatever kind or nature soever, and to sell, alien and dispose of the same as they may think proper, and by the name aforesaid shall be able and capable in law and equity to sue and be sued, implead and be impleaded, answer and be answered in all or any of the Courts or tribunals of this State, in all manner of suits, pleas and demands whatsoever; and to make such rules and by-laws, not repugnant or contrary to the laws of the land, as for the good order and proper government of the said corporation may be thought proper, expedient and necessary.

General pow-
ers.Purpose of
corporation.

SEC. 3. That the said company shall be, and they are hereby, authorized and empowered to establish and maintain a turnpike road, to be constructed of either plank, shell, or both, from the town of Beaufort to the Beaufort Depot and the Port Royal Road, thence by the most practicable route to the town of Port Royal, which shall be vested in the said corporation, their successors and assigns, for a term of twenty years; and they are hereby authorized and empowered to exact a rate of toll which shall not exceed that now provided by law.

Capital stock.

SEC. 4. That the capital stock of said company shall not exceed twenty-five thousand dollars, and they are hereby authorized to issue seven per cent. coupon bonds to the amount of three thousand dollars per mile for every mile of completed road.

May issue
bonds.

SEC. 5. That during the existence of this charter no other turnpike road shall be established within one mile of either side of said road, and running parallel with the same.

SEC. 6. That this Act shall be deemed a public Act, and continue in force for a term of twenty years.

Approved March 21, 1876.

No. 148. AN ACT TO INCORPORATE THE SENECA MANUFACTURING COMPANY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That John Reid, A. W. Thompson, M. W. Coleman, Dr. John Hopkins, A. W.

Corporators.

Lowery, Dr. S. J. McElroy, John M. Dumas, F. A. McCarley, and their associates and successors, are hereby made and created a body politic and corporate in law, under the name and style of "The Seneca Manufacturing Company," for the purpose of manufacturing, dyeing, printing and finishing all goods made of cotton and wool, or of which cotton or other fibrous articles may form a part, and for grinding wheat, corn and other grain, sawing lumber, making paper, and buying and selling merchandise, and for the transaction of all such business as may be necessarily connected therewith, and may erect such mills, buildings, machine shops and other works as may be required or necessary to carry on such branches of manufacture and business, and may make and procure such machinery, tools and implements as may be required or necessary for the same; and they shall have power to raise by subscription, in shares of one hundred dollars each, a capital of three hundred thousand dollars, with the privilege of increasing the said subscription to a capital of five hundred thousand dollars, the consent of a majority of the stockholders being first had and obtained before said increase of the capital is made.

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Corporate name.

Purposes of corporation.

Capital stock.

SEC. 2. That the said corporation may purchase and hold such real estate as they may think necessary for their purposes, and such as they may deem it for their interest to take in the settlement of any debts due them, and may dispose of the same; and may sue and be sued in all Courts of law and equity, have and use a common seal, and make such by-laws and regulations for their government as they may deem proper and necessary, not inconsistent with the Constitution and laws of the United States and of this State; and shall have generally all the rights, powers and privileges in law incident or appertaining to corporations.

Powers and privileges.

SEC. 3. That said corporation may be organized and commence business when the sum of fifty thousand dollars shall have been subscribed to the capital stock and the sum of ten per cent. thereon paid in, which subscription and payment shall be certified under the oath of the President and Treasurer of said company to the Secretary of State for record in that office; and when these requirements have been complied with, the President and a majority of the Board of Directors may call for the payment of all subsequent installments upon the stock subscribed, in such sums and at such times as they shall determine.

Organization.

When to commence operations.

SEC. 4. That the capital stock shall be deemed personal property and transferable upon the books of said corporation; and no part of the capital stock shall, at any time or upon any pretense whatever, be loaned or divided amongst the stockholders; neither shall the capital be withdrawn or divided amongst the stockholders until all

Transfer of stock.

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Dividends.

the liabilities of the company are lawfully paid ; and no dividend shall be declared except from the net earnings of the company. Each stockholder shall have one vote for each share which he may own or represent at the election of President and Directors, and at all meetings of the stockholders of the company.

Delinquent stockholders.

SEC. 5. That if the proprietor of any share shall neglect to pay the installments assessed and due thereon for the space of sixty days after the time fixed for the payment thereof, the Treasurer of the corporation may, by order of the President and a majority of the Directors, sell, at public auction, such number of delinquent shares as may be necessary to pay such assessment : *Provided*, That such sales be advertised for three weeks successively in some newspaper published in Oconee or Anderson Counties ; and a bill of sale by the President of said corporation shall transfer such share to the purchaser and entitle him to a certificate thereof.

Annual meetings.

SEC. 6. That there shall be annual meetings of the stockholders, at such time and place as they may designate, for the purpose of choosing a Board of Directors, to consist of not less than three nor more than seven, each of whom shall be a stockholder, and a President and other officers of the said corporation, who may be members of the said Board of Directors, to manage their affairs.

Special powers.

SEC. 7. That upon the vote of the President and a majority of the Board of Directors, with the written consent of the holders of the majority in amount of the stock subscribed and paid in, the Seneca Manufacturing Company is authorized to borrow money on a mortgage of its franchises and property, issuing bonds in such form and bearing interest at such rate as may be considered best, selecting a trustee or trustees for the purpose of giving said mortgage legal effect ; that all the real and personal property of said corporation shall be liable for its debts and obligations ; and that the stockholders shall be bound to no further liability than the stock actually subscribed by them respectively, or for any balance not paid up in full.

Liability of stockholders.

SEC. 8. That this Act shall be deemed and taken to be a public Act, and shall continue in force for the term of thirty years.

Approved March 21, 1876.

AN ACT REGULATING THE DEPOSITS OF INTEREST COLLECTED
ON CERTAIN BONDS.

A. D. 1876.

No. 149.

Whereas the Counties of Greenville and Spartanburg, by a vote of the people, did subscribe, in bonds, to the building of the Richmond and Atlanta Air Line Railway, the interest on which is payable semi-annually :

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That for the better regulating of the deposits of the interest collected on said bonds, the County Treasurers of Greenville and Spartanburg Counties be, and they are hereby, required, in addition to the duty of collecting a fund to meet the interest on the bonds aforesaid, to keep said fund so collected to meet the payment of the coupons as they become due separate and apart from all other funds collected by them in their respective Counties, and as collected to deposit the same as hereinafter designated to the credit of said interest fund, to be applied to the payment of the coupons aforesaid due upon said bonds. That the fund collected to meet the interest on the said bonds of the County of Greenville shall, as collected, be deposited separate and apart, by the Treasurer of Greenville County, in the National Bank of Greenville; and the fund collected to meet the interest on said bonds in the County of Spartanburg, as collected, be deposited separate and apart, by the Treasurer of Spartanburg County, in the National Bank of Spartanburg. That upon failure of any officer aforesaid to comply with the provisions of this Act, besides being liable to an action on his official bond by the party aggrieved, he shall be deemed guilty of a misdemeanor, and, upon conviction, imprisoned in the State Penitentiary no less than one nor more than two years.

Interest funds
to be kept
apart from
other funds.

To be deposited
in bank.

Failure to
comply a mis-
demeanor.

SEC. 2. That this Act shall be deemed and taken as a public Act, and all Acts inconsistent with the same are hereby repealed.

Approved March 21, 1876.

AN ACT TO AUTHORIZE AND REQUIRE THE GOVERNOR TO AP- No. 150.
POINT ONE ADDITIONAL TRIAL JUSTICE FOR FAIRFIELD AND
SPARTANBURG COUNTIES.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Governor be, and he is

A. D. 1876. hereby, authorized and required to appoint one additional Trial Justice for Fairfield and one for Spartanburg County.

Approved March 21, 1876.

No. 151. AN ACT TO INCORPORATE THE PHOENIX BUILDING AND LOAN ASSOCIATION, OF CHARLESTON.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That C. P. Poppenheim, Dr. B. H. Muckenfuss, Robert F. Burnham, Charles R. Brewster, Robert Stewart, William Culbert, Charles E. Careare, W. G. Muckenfuss, Edward S. Burnham, J. E. Burke, G. I. Cunningham, John DeVeaux, R. Howard and John Reed, together with such other persons who are or hereafter may be associated with them, be, and they are hereby, declared a body politic and corporate, for the purposes of making loans of money, secured by mortgage on real estate or personal property, or by conveyance of the same to their members and stockholders, by the name and style of the Phoenix Building and Loan Association; the capital stock of said association to consist of two thousand five hundred shares; but as soon as one thousand shares are subscribed thereto, the said association shall organize and commence operations, said shares to be paid by successive monthly installments of one dollar on each share as long as the corporation shall continue; the said shares to be held, transferred, assigned and pledged, and the holders thereof to be subject to such fines and forfeitures for default in their payments, according to such regulations as may be prescribed by the by-laws of said corporation.

Corporate name.

Capital stock.

Powers and privileges.

SEC. 2. That the said corporation shall have power and authority to make any such rules and by-laws for its government as are not repugnant to the Constitution and laws of the land; shall have such number and succession of members and officers as shall be ordained and chosen according to their said rules and by-laws, made or to be made by them; shall have and keep a common seal, and may alter the same at will; may sue and be sued, plead and be impleaded, in any Court of law or equity in this State; and shall have and enjoy all and every right and privilege incident and belonging to corporate bodies according to the laws of the land.

May hold real estate.

SEC. 3. That the said corporation shall have power to take, purchase and hold real estate, and to sell and transfer the same, from time to time, to its members, on such terms and under such con-

ditions and subject to such regulations as may be prescribed by the rules and by-laws of said corporation: *Provided*, That the real estate held by said corporation shall not at any time exceed the value of two hundred thousand dollars.

A. D. 1876.

Amount tenable.

SEC. 4. That the funds of said corporation shall be loaned and advanced to the members and stockholders upon the security of real and personal estate, and used in the purchase of real estate for the benefit of its members and stockholders, on such terms and under such conditions and subject to such regulations as may, from time to time, be prescribed by the rules and by-laws of said corporation; and it shall be lawful for the said corporation to hold such lands, tenements, hereditaments and personal property as shall be mortgaged or conveyed to them in good faith by way of security upon its loans and advances; and may sell, alien or otherwise dispose of the same, to its members and stockholders only, as they, from time to time, may deem expedient.

Funds may be loaned.

SEC. 5. That whenever it shall occur that the funds of the said corporation shall remain unproductive and uncalled for for the space of two months, the corporation shall have power to loan whatever amount may thus be on hand to others than stockholders and members, for such time and at such rate of interest as may be established by virtue of such rules and by-laws as may be made by such corporation.

Unproductive funds may be loaned to others than stockholders.

SEC. 6. That whenever the funds of said corporation shall have accumulated to such an amount that, upon a fair and just division thereof, each stockholder and member shall have received, or be entitled to receive, the sum of two hundred dollars, or property of that value, for each and every share of stock by him or her so held, and when such distribution and division of the funds shall have been so made, then this corporation shall cease and determine.

Division of profits.

SEC. 7. This Act shall be deemed a public Act, and the same may be given in evidence without specially pleading the same.

Approved March 21, 1876.

AN ACT TO AUTHORIZE AND REQUIRE THE BOARD OF JURY COMMISSIONERS OF ORANGEBURG COUNTY TO PREPARE A NEW JURY LIST, AND TO DRAW JURORS FOR THE YEAR EIGHTEEN HUNDRED AND SEVENTY-SIX.

No. 152.

Whereas at the January Term of the Circuit Court for Orangeburg County, His Honor Judge Reed, of the First Circuit, held that there was no legal jury list prepared for the year (1876)

A. D. 1876.

eighteen hundred and seventy-six, for the said County, and discharged the grand and petit jurors that had been drawn for the present year; therefore,

Time of preparing jury list.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Board of Jury Commissioners, or a majority of them, of the County of Orangeburg be, and they are hereby, authorized and directed, within thirty days after the passage of this Act, to prepare a jury list for the year one thousand eight hundred and seventy-six, for the County of Orangeburg, and the names so placed upon said list to be placed in the jury box in the manner now prescribed by law.

Grand jury.

SEC. 2. That the first eighteen names drawn from the jury box prepared under this Act shall constitute the grand jury of the said County of Orangeburg for the balance of the present year.

Time of drawing juries.

SEC. 3. That not later than seven days nor earlier than fifteen days before the meeting of the first regular term of the Court for said County after the passage of this Act, it shall be the duty of the Board of Jury Commissioners, or any two of them, to draw the necessary jurors for the Court.

SEC. 4. All Acts and parts of Acts inconsistent with this Act are hereby repealed.

Approved March 21, 1876.

No. 153. AN ACT TO INCORPORATE THE ASHLEY RIVERSIDE ROAD COMPANY, AND TO AUTHORIZE THE ESTABLISHMENT BY IT OF A TURNPIKE TOLL ROAD FROM LOWNDES' AVENUE TO THE DORCHESTER ROAD, IN CHARLESTON COUNTY.

Corporators.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That J. B. Bissell, E. H. Jackson, T. Pinckney Lowndes, Charles H. Gladden, Samuel Wragg and George Rivers Walker, together with such persons as are now or may hereafter be associated with them, be, and they are hereby, constituted and made a body corporate and politic, by the

Corporate name.

name and style of the Ashley Riverside Road Company, and under such name and title are hereby authorized forthwith to build a

Line of road.

turnpike road from some point on Lowndes' Avenue, in the limits of the city of Charleston, to some point on the Dorchester Road, all in the County of Charleston, under and in pursuance of the provisions of the General Statutes in such case made and provided,

but with such limitations, provisions and exceptions as are hereby made and provided.

A. D. 1876.

SEC. 2. The value of each share shall be twenty-five dollars. To this amount alone shall installments on one share be called for, and in sums not exceeding ten dollars on one share in any one period of sixty days. At the time of subscribing, five dollars shall be paid on each share subscribed for.

Capital stock.

SEC. 3. The number of shares in the said company hereby incorporated shall be one thousand, with the privilege of extension, by a two-thirds vote of the company, to a number not exceeding two thousand, without further Act of the General Assembly.

Increase of.

SEC. 4. The Treasurer of said company, hereafter to be elected under the by-laws of the same, shall receive all subscriptions for the stock at his office hereafter to be designated by him in the city of Charleston; and is empowered hereby to extend the time for receiving subscriptions, with the consent of the company, to any time or times within two years from the date of the ratification of this Act.

Subscriptions to.

SEC. 5. The said corporation shall have power to purchase, have and hold, in fee or for years, real estate to the value of fifty thousand dollars beyond what may be necessary for the construction of the said road and its appurtenances, and the said company are authorized, by and with the consent of the City Council, to extend their road to any point south of Lowndes' Avenue and west of Rutledge street, and north of Line street.

May hold real estate.

SEC. 6. The company shall annually elect such officers as are hereafter provided for in the by-laws of the company, and at such time and place as are therein designated.

Officers.

SEC. 7. The company shall begin work on the said road within two years from the date of the ratification of this Act, and shall be entitled to charge toll when two miles of the same are completed: *Provided*, That no greater amount shall be charged than is now provided for in the General Statutes.

When to commence work.

SEC. 8. The liability of a stockholder shall not exceed the amount of stock held by him.

Liability of stockholders.

Approved March 21, 1876.

- A. D. 1876.
No. 154. AN ACT TO AUTHORIZE AND EMPOWER JOHN LEWIS, OF LANCASTER COUNTY, TO ERECT A GATE ACROSS THE PUBLIC ROAD LEADING FROM CHARLOTTE, NORTH CAROLINA, TO CAMDEN, SOUTH CAROLINA.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That John Lewis, of the County of Lancaster, be, and he is hereby, authorized and empowered to erect a gate across the public road leading from Charlotte, North Carolina, to Camden, South Carolina: *Provided*, That said gates shall always be kept in good repair.

Approved March 21, 1876.

- No. 155. AN ACT TO AUTHORIZE AND EMPOWER L. J. PATTERSON AND WILLIAM JOHNSON TO ERECT AND MAINTAIN GATES ACROSS WHITE OAK ROAD, IN KERSHAW COUNTY.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That L. J. Patterson and William Johnson be, and they are hereby, authorized and empowered to erect and maintain gates across White Oak Road, leading from Camden to Dunlap's, in Kershaw County: *Provided*, That said gates shall always be kept in good repair, and constructed in such manner as will afford the least trouble in passing the same.

Approved March 21, 1876.

- No. 156. AN ACT TO MAKE MARY ANN HARRIET NIX AND HENRY WARE NIX THE LAWFUL HEIRS OF W. H. NIX.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Mary Ann Harriet Nix and Henry Ware Nix be, and they are hereby, made the lawful heirs of W. H. Nix.

Approved March 21, 1876.

AN ACT TO INCORPORATE THE AMERICAN LIVE STOCK INSURANCE COMPANY.

A. D. 1876.

No. 157.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Harvey J. Culp, Henry H. Glidden, William C. Patterson, Jr., and their associates, successors and assigns, be, and they are hereby, created a body corporate and politic, by the name of the American Live Stock Insurance Company, and by that name shall have and enjoy all the rights, privileges and immunities which are necessary to accomplish the purposes of this Act; but nothing contained in this Act shall authorize said company to engage in any banking business, or to issue any notes to circulate as money or currency.

Corporators.

Corporate name.

SEC. 2. The said company shall have power to make insurance and take risks on all kinds of live stock, and may take any kind of risks that they may deem proper, and charge and receive such premiums therefor as may be agreed by and between the parties, either upon the mutual or stock principle; and may use, invest or loan its capital or surplus funds in such way or manner as the Directors may judge that the interest and welfare of the company require, at such rates as private persons may legally do by the laws of this State; and may divide the business or risks into two or more classes, as may be regulated by the by-laws.

Purposes of corporation.

SEC. 3. The said company may establish agencies either in or out of the State, and do all acts not inconsistent with the Constitution and laws of this State or of the United States, as may seem necessary to carry out the full objects of this Act; and may make such by-laws, ordinances and regulations as may seem necessary or convenient for their regulation and government and for the management of their affairs.

Establishment of agencies.

SEC. 4. The said company may sue and be sued, appear, prosecute and defend in any Court or place whatsoever, and shall be recognized as a corporation in all Courts; and may have and use a common seal, and alter, break and renew the same at pleasure.

General powers.

SEC. 5. This Act shall be deemed a public Act, and shall take effect and be in force from and after its passage.

Approved March 21, 1876.

A. D. 1876. AN ACT TO INCORPORATE THE UNION SAVINGS SOCIETY, OF
 No. 158. COLUMBIA, SOUTH CAROLINA.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That
 Corporators. Jeremiah Williams, Henry Taylor, Henry Dobbins, A. W. Curtis, Jesse Givens, and their associates and successors, be, and they are hereby, constituted a body corporate and politic, under the name
 Corporate name. and style of the "Union Savings Society, of Columbia, South Carolina," for the purpose of purchasing lands and houses; also renting, leasing, hiring and selling the same to any parties whatsoever in this State.

SEC. 2. That the maximum amount of stock issued or to be
 Capital stock. issued by said corporation shall not exceed fifty thousand dollars, the same to be issued in shares of ten dollars each; and that said corporation is hereby empowered to issue the said amount of stock, or any part thereof, with whatever conditions or limitations thereon as may be adopted by a majority of the stockholders of said corporation. That the stockholders shall be liable for the amount of stock owned or subscribed for by them.

SEC. 3. That the profits of said society may, from time to time,
 Division of profits. be divided among the stockholders according to such rules and regulations as they may prescribe, not repugnant to the laws of this State.

SEC. 4. That the stock of said society may be transferred in such
 Transfer of stock. manner and form as may be directed by the by-laws of the society.

SEC. 5. That said society shall have power and authority to purchase, take and hold, in fee simple or for years, to them and their successors, any lands, tenements, which they may find necessary for the purposes of said society, and to transfer and dispose of the same as they may think proper; and shall have power and authority to make all by-laws not repugnant to the laws of the land; to have and keep a common seal, and the same to alter at will; to sue and be sued, plead and be impleaded, in any Court of law or equity in this State; and shall have and enjoy all and every right and privilege incident to corporate bodies, according to the laws of this State.

SEC. 6. This Act shall be deemed a public Act, and shall continue in force for twenty years.

Approved March 21, 1876.

AN ACT TO INCORPORATE THE CHARLESTON EXCHANGE.

A. D. 1876.

No. 159.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That W. C. Jervey, Henry Gourdin, George A. Trenholm, James M. Murdoch, L. D. Mowry, G. I. Cunningham and others, being members of the association known as the Charleston Exchange, and all other persons who may hereafter become associated with them under the provisions of this Act, are hereby created a body corporate, by the name of the Charleston Exchange, with perpetual succession and power to use a common seal and alter the same at pleasure, to sue and be sued, to take and hold by grant, purchase or devise such real and personal property as may be required for the uses and purposes of said corporation, and to sell, convey, lease or mortgage the same or any part thereof.

Corporators.

Corporate name.

Powers and privileges.

SEC. 2. The property, affairs, business and concerns of said corporation shall be managed by a President and twelve Directors, who, together, shall constitute a Board of Directors: *Provided*, That no action of said Board in the management of said property, affairs, business and concerns of said corporation shall impose any liability upon the individual members of said corporation. That the members of said Board shall be elected annually, at such time and place and in such manner as may be provided by the by-laws; and the present officers and Directors of the said association shall be the officers and Directors of the said corporation until their present term of office shall expire, and until others, under the provisions of this Act, shall be elected in their place. All vacancies which may occur in said Board by death, resignation or otherwise, shall be filled by the said Board. A majority of the members of said Board shall constitute a quorum for the transaction of business.

Officers.

Election of.

Vacancies.

SEC. 3. The purposes of said corporation shall be to provide, regulate and maintain a suitable building, room or rooms for an Exchange in the city of Charleston, to adjust controversies between its members, to establish just and equitable principles in trade, to maintain uniformity in commercial rules, regulations and usages, to adopt and keep up standards of classification, to acquire, preserve and disseminate useful information connected with commercial interests, and generally to promote the business of the city of Charleston, increase its amount and augment the facilities for conducting it. The said corporation shall have power to make all proper and needful by-laws not contrary to the Constitution and laws of the State of South Carolina and of the United States.

Purposes of corporation.

A. D. 1876.

SEC. 4. The said corporation shall have power to admit new members, and suspend or expel any member, in such manner as may be provided by the by-laws.

Board of ap-
peals.

SEC. 5. The Board of Directors shall annually elect by ballot five members of the association, who shall not be members of said Board, as a Committee to be known and styled the Board of Appeals of the Charleston Exchange. The Board of Directors may at any time fill any vacancy or vacancies that may occur in said Board of Appeals for the remainder of the term in which the same shall happen. It shall be the duty of said Board of Appeals to hear and decide any controversy which may arise between the members of the said association, or any person claiming by, through or under them, and which may be voluntarily submitted to said Board of Appeals for arbitration; and such members and persons may, by an instrument in writing, signed by them and attested by a subscribing witness, agree to submit to the decision of said Board of Appeals any such controversy which might be the subject of an action at law or in equity, except claims of title to real estate or to any interest therein, and that a judgment of the Court of Common Pleas for the County of Charleston shall be rendered upon the award made pursuant to such submission.

To decide
controversies.Mode of pro-
cedure.

SEC. 6. Such Board of Appeals, or a majority of them, shall have power to appoint a time and place of hearing of any such controversy, and adjourn the same from time to time as may be necessary, not beyond the day fixed in the submission for rendering their award, except by consent of parties; to issue subpoenas for the attendance of witnesses residing or being in the County of Charleston; to issue commissions out of the aforesaid Court to take the testimony of witnesses residing outside the limits of said County, according to the law and practice now existing for issuing such commissions, which, when returned executed, it shall be the duty of the Clerk of said Court to deliver to said Board of Appeals, to be by them opened and used as testimony in the proceedings before them, and to administer oaths in any proceedings before them. Such witnesses shall be entitled to the fees prescribed by law for witnesses in the aforesaid Court of Common Pleas.

Awards.

SEC. 7. Any number not less than a majority of all the members of the Board of Appeals shall be competent to meet together and hear the proofs and allegations of the parties, and an award by a majority of those who shall have been present at the hearing of the proofs and allegations shall be deemed the award of the Board of Appeals, and shall be valid and binding on the parties thereto. Such award shall be made in writing, subscribed by the members of the Board concurring therein, and attested by a subscribing witness.

Upon filing the submission and award in the office of the Clerk of the aforesaid Court, both duly acknowledged or proved in the same manner as deeds, or required to be acknowledged or proved, in order to be recorded, the Judge of said Court, in term or in vacation, shall, upon the back of such award, make an order for judgment, according to the said award, and judgment may thereupon be entered up, and shall be docketed, transcripts filed and executions issued thereon, the same as authorized by law in regard to judgments in said Court. Judgments entered in conformity with such award shall not be subject to be removed, reversed, modified or in any manner appealed from by the parties thereto, except for fraud, collusion or corruption of said Board of Appeals or some member thereof.

A. D. 1876.

To be filed
with Clerk of
Court.Who shall
enter up as
judgments now
are.

Approved March 21, 1876.

AN ACT TO PROHIBIT THE SALE OF ARDENT SPIRITS WITHIN THREE MILES OF THE BETHEL BAPTIST CHURCH AND BETHEL ACADEMY, IN SPARTANBURG COUNTY. No. 160.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all persons be, and are hereby, prohibited from selling, either with or without license, any spirituous or intoxicating liquors within three miles of the Bethel Baptist Church and Bethel Academy, in Spartanburg County.

Sale of li-
quors prohib-
ited near Bethel
Church, &c.

SEC. 2. That any violation of this Act shall be deemed a misdemeanor, and any one, upon conviction thereof in a Court of competent jurisdiction, shall be subject to a fine of not more than fifty dollars or imprisonment in the County jail for not more than six months, or both, for each offense, at the discretion of the Court.

Penalty for
violation of
this Act.

Approved March 21, 1876.

AN ACT FOR THE FILLING OF VACANCIES IN THE OFFICE OF CIRCUIT SOLICITORS. No. 161.

Whereas Section 29 of Article IV of the Constitution of this State provides that there shall be one Solicitor for each Circuit, who shall reside therein; and whereas there is now no provision of law for filling vacancies in the office of Circuit Solicitor; therefore,

A. D. 1876.

Governor to
appoint, with
consent of Sen-
ate.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That in case any Circuit Solicitor shall cease to reside in his Circuit, his office shall be deemed and taken to be vacant, and such vacancies so caused, as well as vacancies arising by death, resignation or otherwise, shall be filled by an appointment by the Governor by and with the advice and consent of the Senate.

Judge to cer-
tify vacancy to
Governor.

SEC. 2. That in case of any vacancy arising as provided for in Section 1 of this Act, it shall be the duty of the Judge of the Circuit in which such vacancy occurs to certify the same to the Governor, who shall thereupon appoint some suitable person to fill said vacancy.

SEC. 3. That all Acts and parts of Acts inconsistent with the provisions of this Act be, and the same are hereby, repealed.

Approved March 24, 1876.

No. 162. AN ACT TO AMEND THE CHARTER OF THE TOWN OF MOULTRIEVILLE, SULLIVAN'S ISLAND, SOUTH CAROLINA.

Preamble.

Whereas the lands of Sullivan's Island have been set apart for such citizens of this State as may resort thereto for the purposes of health, and to this end have been placed under the regulation of the Town Council of Moultrieville; and whereas, in order to secure the purposes for which the said lands have been so set apart, it is essential that the said Town Council should be empowered to secure such means as may be necessary to carry out the ends proposed:

Town Council
to levy assess-
ments.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Town Council of Moultrieville be, and they are hereby, authorized and empowered, by ordinance, to assess each lot owner on said island, for each and every lot possessed by him or her, such sum or sums of money, not exceeding ten (10) dollars for each lot, as the said Town Council may deem necessary, for the purposes of keeping in proper order the streets, ways, beaches and commons of the island and the health of the same.

To be in lieu
of road duty.

SEC. 2. That the said sum so to be assessed, as aforesaid, shall be in lieu and instead of the road duty now imposed and assessed on said island.

Assessments
may be paid in
labor.

SEC. 3. That it shall and may be lawful for any lot owner on said island to work out the amount thus assessed, under such regulations as the Town Council may prescribe.

SEC. 4. That in case any default be made by any lot owner or holder in payment of the assessment so made, the amount thereof may be recovered by the said Town Council by action in any of the Courts of this State. A. D. 1876.
Defaulting
lot owners.

SEC. 5. That all Acts or parts of Acts inconsistent with this Act are hereby repealed.

Approved March 24, 1876.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO AMEND AN ACT TO REGULATE THE APPOINTMENT AND SALARY OF TRIAL JUSTICES IN THE CITY OF CHARLESTON." No. 163.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to amend an Act to regulate the appointment and salary of Trial Justices in the city of Charleston" be, and the same is hereby, amended as follows: In Section one (1), line six, strike out "eight (8)," and insert "four (4), and one Constable each;" strike out all after the colon, on line eight (8), to the period, on line ten (10). Number limited to four.

'SEC. 2. That this Act shall take effect on and after the expiration of the term for which the present incumbents have been appointed, unless a vacancy should sooner occur. When to take effect.

SEC. 3. That all Acts or parts of Acts inconsistent with the provisions of this Act be, and the same are hereby, repealed.

Approved March 24, 1876.

AN ACT TO ALTER AND AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE TOWN OF LEWISVILLE, S. C., AND ALL ACTS AMENDATORY THERETO." No. 164.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the name of "Lewisville," wherever it occurs in the Act, and in all Acts amendatory thereto, be stricken out, and the name "St. Matthew's" inserted in lieu thereof, so that the said town of Lewisville, in Orangeburg County, shall hereafter be known as "St. Matthew's."

Approved March 24, 1876.

A. D. 1876.

No. 165.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO PROVIDE FOR GRANTING CERTAIN CHARTERS."

Liability of
stockholders.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to provide for granting of certain charters," approved the twentieth day of February, 1874, be, and the same is hereby, amended as follows, to wit: "The stockholders of any companies already incorporated, or which may hereafter be incorporated under the said Act, shall be jointly and severally liable for the debts of such company until the capital stock agreed upon at the time of its organization shall be subscribed and actually paid up in full."

Approved March 24, 1876.

No. 166. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO MAKE APPROPRIATIONS TO MEET THE ORDINARY EXPENSES OF THE STATE GOVERNMENT FOR THE FISCAL YEAR COMMENCING NOVEMBER 1, 1875."

Scholastic
year.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to make appropriations to meet the ordinary expenses of the State government for the fiscal year commencing November 1, 1875," be, and the same is hereby, amended by striking out the following words, to wit: "And the scholastic year commencing June 30, 1875, and ending June 30, 1876." That Section 10 of said Act be amended by striking out the words "under the proclamation of," and inserting the word "by," so that the clause will read: "Also \$5,000 for the payment of such rewards as may be or have been offered by the Governor, to be drawn on the warrant of the Governor, countersigned by the Comptroller General."

Payment of
rewards.

Salary of Pro-
fessor of Physi-
ology, &c.

SEC. 2. That Section 2, paragraph five, of the Act recited in Section 1 hereof, be amended by adding after the words, "Modern Language and Literature, two thousand dollars," the following words, to wit: "For the Professor of Physiology and Comparative Anatomy, two thousand dollars."

Approved March 24, 1876.

AN ACT TO INCORPORATE THE PALMETTO UNDERWRITERS' ASSOCIATION OF SOUTH CAROLINA.

A. D. 1876.

No. 167.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That William M. Addington, K. Elias, W. A. Addington, P. F. Pescud, and such other persons as may be associated with them in the manner hereinafter prescribed, shall be constituted a body corporate and politic, under the name of the Palmetto Underwriters' Association of South Carolina, and as such shall have succession for thirty years, and by that name may sue and be sued, appear, prosecute and defend in any Court of record or other Court or place whatsoever; and may have and use a common seal, may break and renew the same at pleasure, and may establish and put into execution such by-laws, rules and regulations, not contrary to the laws of this State or of the United States, as may be deemed necessary or expedient in the management of the affairs of the association, and do all such acts as may be necessary to carry into effect the provisions and objects of this charter.

Corporators.

Corporate name.

Powers and privileges.

SEC. 2. That the capital stock of this association shall consist of the guaranteed capital hereafter provided for, and of the premiums and deposit notes that may be received in the course of its business.

Capital stock.

SEC. 3. That the said association may purchase and hold such personal or real estate as may be deemed necessary for the purposes and objects of this charter, and may sell and convey the same at pleasure, and shall have the right to receive from any and all persons and bodies politic any deposits of moneys, and, if so required, shall issue certificates of deposit therefor, and may invest the money so received, and all other funds and property belonging to or which may be in the hands of the association, in promissory notes, secured by mortgage on real or personal estate, or by individual security, or may invest or re-invest said funds in such manner as may be considered most safe and beneficial to the association.

Special powers.

SEC. 4. That the affairs of said association shall be governed and regulated by a General Board of Directors, to consist of not less than five and not more than thirty stockholders, of whom one shall be chosen President. The Board of Directors shall be elected at the regular annual meetings of the stockholders, and shall hold their offices for one year, and until others shall be chosen to supply their places. The President and three Directors shall constitute a quorum for the transaction of business, and the Board shall have power to fill vacancies created by death, resignation or otherwise.

Management of affairs.

Quorums.

SEC. 5. That the persons named in the first Section of this Act

Directors.

A. D. 1876.

as corporators are hereby constituted Directors of this association, with such other stockholders as they may select to make up the number required for a Board of Directors, who shall continue to serve until a regular election at an annual meeting of the stockholders.

Election of officers.

SEC. 6. The Board of Directors shall elect the President, Secretary, Treasurer, and all other officers and agents of the association; they shall also choose an Executive Committee, to consist of not less than three Directors, who shall hold their positions for a term not to exceed three years, and until successors are chosen and qualified in their places; and in the absence of the Board of Directors, the Executive Committee shall have power to transact all business.

Location of office.

SEC. 7. The principal office of this association shall be established in such city or town of the State of South Carolina as may be selected and fixed by the Board of Directors and deemed necessary and convenient to carry out the provisions of this charter.

May do business in foreign countries.

SEC. 8. This association shall have power to do business in each State and Territory of the United States and in foreign countries; and each State, Territory or country in which it shall transact or intend to transact business, or any part of the same, may be formed into departments and branches of this association in such manner and form, and subject to such rules and regulations, as may be adopted for their government by the General Board of Directors.

Objects of corporation.

SEC. 9. That this association may insure against loss or damage by fire, lightning, or any other insurance whatsoever that the Board of Directors may deem proper, including life and accidental insurance; and it is hereby vested with all powers that any insurance company heretofore incorporated in this State now has to transact business in this or any other State or country, and it may charge and receive such premiums as may be agreed on with the parties insured.

Premiums.

SEC. 10. The rate of insurance shall be fixed and regulated from time to time by the General Board of Directors of this association, and the premiums or deposit notes may be received by the Directors from the assured, which shall be paid at such time or times and in such sum or sums as may, in the by-laws, be required; and any person applying for insurance, if he shall desire, may pay a deposit sum of money in full for insurance in lieu of a premium note, but no member shall be bound to pay in the whole more than the amount of his premium note and cash premium.

Liability of members.

SEC. 11. That every member of the mutual department of said association shall be bound to pay for all losses and necessary expenses in and to said association in proportion to his deposit note, and suits of law may be instituted by this association against any

of its members for the collection of said deposit notes, or any assessments on said notes, or for any other cause relating to the business of this association.

A. D. 1876.

SEC. 12. This association may have a subscribed and guaranteed capital stock to the amount of one million of dollars, of which amount at least one hundred thousand dollars shall have been subscribed before the said association commences business, and the whole of said stock shall be liable for the losses of said association whenever the cash premiums and premium notes shall be insufficient to pay the same. The holders of said stock shall be entitled to representation in the election of the General Board of Directors in the ratio of one vote for each hundred dollars held or represented. Scrip certificates may be issued for such stock, transferable only on the books of the company.

Capital stock.

SEC. 13. That nothing contained in this Act shall be so construed as to exclude this association from the benefits of any and all general Acts relating to insurance in this State, or to exempt it from the obligation of complying therewith.

General insurance laws to apply to company.

SEC. 14. This Act shall be regarded as a public Act, and take effect from and after its approval.

Approved March 24, 1876.

AN ACT TO PROVIDE THE MANNER OF PASSING CLAIMS AGAINST THE STATE BY THE GENERAL ASSEMBLY. No. 168.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all claims against the State which may hereafter be submitted to the General Assembly for their action thereon shall be required to have the form of Bills or Joint Resolutions, and be passed or rejected as such in all respects as provided by the State Constitution, unless the amount of any such claim shall be less than twenty-five dollars: *Provided*, That this exception shall not apply to any such small claim or claims if it shall appear that any claim has been divided in order to evade the provisions of this Section. And on the passage of any claim the vouchers and all papers connected therewith shall be filed in the office of the Comptroller General, who shall receipt for the same, and on presentation of such receipt to the presiding officers of the General Assembly, they shall issue a joint certificate for the amount of the claim so passed, which shall be attested by the Clerks of both houses, and filed with the Com-

To have the form of Bills.

Papers connected with claims to be filed with Comptroller General.

Officers of the two Houses to issue certificates.

A. D. 1876.

To bear upon
its face the
nature of the
claim.

troller General, whereupon the Comptroller General shall issue his warrant on the State Treasurer for the amount therein named to the person to whom the same may be due, or to his lawful attorney, as in other cases: *Provided*, That such joint certificate shall set forth upon its face the nature and date of the allowance of such claim, and shall be duly canceled and filed, with all other vouchers therejo relating, in the office of the Comptroller General.

SEC. 2. This Act shall be of force from its passage, and all Acts and parts of Acts inconsistent therewith are hereby repealed.

Approved March 24, 1876.

No. 169. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO GRANT THE USE OF A VACANT LOT IN THE TOWN OF COLUMBIA TO THE PALMETTO LODGE, No. 5, OF THE INDEPENDENT ORDER OF ODD FELLOWS ON CERTAIN CONDITIONS."

Original grant
amended.

Enabling lodge
to sell lot.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Act entitled "An Act to grant the use of a vacant lot in the town of Columbia to the Palmetto Lodge, No. 5, of the Independent Order of Odd Fellows on certain conditions," ratified the seventeenth day of December, 1847, be, and the same is hereby, amended by striking out the following words, to-wit: "And on condition and only so long as the entire lot and school house to be erected thereon shall be used exclusively for a school;" and also by striking out all after the word "dollars," on the nineteenth line thereof, and inserting the following in lieu of the same, that is to say: "*And provided, also*, That the said Lodge shall, and may, at any time hereafter, sell and dispose of the said lot, with the appurtenances, and grant and convey the same to the purchaser or purchasers thereof in fee simple, free, clear and discharged of and from all conditions whatsoever, and invest the proceeds of such sale in some other real estate in the city of Columbia, to be held by the said Lodge on the same conditions as hereinbefore set forth of and concerning the said lot hereinbefore mentioned."

Approved March 24, 1876.

AN ACT FOR THE RELIEF OF J. P. LATIMER, LATE COUNTY
TREASURER OF GREENVILLE COUNTY, AND J. P. F. CAMP,
LATE COUNTY TREASURER OF SPARTANBURG COUNTY.

A. D. 1876.

No. 170.

Whereas judgment was obtained at the last May Term of the United States District Court for South Carolina, in the sum of three hundred dollars and costs, against J. P. Latimer, and, at the same time, and in like amount, against J. P. F. Camp, late County Treasurer of Spartanburg County; and whereas, by reference to the Attorney General's report for the year 1875, made to the General Assembly, at page six thereof, it appears to him, upon proper investigation, that the officers above named were acting under the orders of the Comptroller General, as County Treasurers of this State, endeavoring to enforce the collection of taxes supposed to be due the State from the Air-Line Railway Company, and for this judgment was obtained, as aforesaid, against each of the aforesaid County Treasurers; therefore,

Preamble.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the sum of one thousand dollars, if so much be necessary, be, and the same is hereby, appropriated for the settlement and payment of the judgments obtained in the District Court of the United States for South Carolina, at May Term, 1875, against J. P. Latimer, late County Treasurer of Greenville County, and J. P. F. Camp, late County Treasurer of the County of Spartanburg, in the matter of the Richmond and Danville Railroad Company against these defendants, County Treasurers, as aforesaid.

Appropriation for payment of judgments.

SEC. 2. That the Comptroller General is hereby authorized and required to draw his warrant upon the State Treasurer for the settlement and payment of the aforesaid judgments and costs, when he shall be satisfied by a copy of the Court records in each case of the exact amount required to be paid in the discharge and settlement of said judgments and costs. And the State Treasurer is hereby required to pay the aforesaid warrants out of any funds in the Treasury, or that may come into the Treasury from the phosphate royalty fund: *Provided*, The warrants aforesaid do not exceed in amount the amount appropriated by Section 1 of this Act for the payment of the judgments therein specified.

Comptroller General to draw warrant.

State Treasurer to pay.

Approved March 24, 1876.

A. D. 1876.

No. 171.

AN ACT TO ENABLE THE PURCHASERS OF RAILROADS TO FORM CORPORATIONS, AND TO EXERCISE CORPORATE POWERS, AND TO DEFINE THEIR RIGHTS, POWERS AND PRIVILEGES.

Purchasers
may form cor-
porations.

Certificate of
the fact to be
filed.

What to con-
tain.

Corporate
powers.

Corporation
to possess pri-
vileges granted
other railroads.

May issue
bonds.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That in case of the sale of any railroad, situated heretofore or hereafter wholly within this State, or partly within this State and partly in an adjoining State, by virtue of any mortgage or deed of trust, whether under foreclosure or other judicial proceeding, or pursuant to any power contained in such mortgage or deed of trust, the purchaser or purchasers thereof, or his or their survivor or survivors, representatives or assigns, may, together with their associates, (if any,) form a corporation for the purpose of owning, possessing, maintaining and operating such railroad, or such portion thereof as may be situated within this State, by filing in the office of the Secretary of State of this State a certificate specifying the name and style of such corporation, the number of Directors of the same, the name of its first Directors and the period of their services, not exceeding one year, the amount of the capital stock of such corporation, and the number of shares into which it is to be divided; and the persons signing such certificate, and their successors, shall be a body corporate and politic, by the name specified in such certificate, with power to sue and be sued, contract and be contracted with, and to own, possess, maintain and operate the railroad referred to in such certificate, and to transact all business connected with the same; and a copy of such certificate, attested by the Secretary of State or his deputy, shall, in all Courts and places, be evidences of the due organization and existence of such corporation and of the matters specified in such certificate.

SEC. 2. Such corporation shall possess all the powers, rights, immunities, privileges and franchises in respect to such railroad, or the part thereof included in such certificate, and in respect to the real and personal property appertaining to the same, which were possessed or enjoyed by the corporation which owned or held such railroad previous to such sale under or by virtue of its charter, and any amendments thereto, and of other laws of this State or the laws of any other State in which any part of such railroad may have been situated, not inconsistent with the laws of this State.

SEC. 3. Such corporation shall also have power to make and issue bonds, bearing such rate of interest, not exceeding seven per cent. per annum, payable at such times and places, and in such amount or amounts as it may deem expedient, and to sell and dispose of

such bonds at such prices and in such manner as it may deem proper, and to secure the payment of such bonds by its mortgage or deed of trust of its railroad or any part thereof, and its real and personal property and franchises. And all of the property and franchises of such corporation embraced or intended to be embraced in any such mortgage or deed of trust, whether then held or hereafter acquired, shall be subject to the lien and operation of such mortgage or deed of trust, and in case of sale under the same, shall pass to and become vested in the purchaser or purchasers thereof, so as to enable him or them to form a new corporation in the manner hereinbefore prescribed, and to vest in such new corporation all the faculties, powers, rights, immunities, privileges and franchises possessed by its predecessor or conferred by this Act.

A. D. 1876.

Property to be subject to lien under which sales are made.

SEC. 4. Such corporation shall also have power to establish sinking funds for the payment of its liabilities, and to issue capital stock to such an aggregate amount as it may deem necessary, not exceeding the amount named in its certificate of organization, and may make and issue preferred stock, and make and establish preferences in respect to dividends in favor of one or more classes of stock over any other class or classes, and secure the same in such order and manner and to such extent as such corporation may deem expedient, and may confer upon the holders of any bonds which it may issue the right to vote at all meetings of the stockholders, not, however, exceeding one vote for each one hundred dollars of the par amount of such bonds, which right to vote, when once fixed, shall attach to and pass with such bonds, under such regulations as such corporation shall prescribe, but shall not subject the holder to any call for or assessment of money made by such corporation, or to any liability for the debts of such corporation, or entitle any holder thereof to dividends. And such corporation shall also have capacity to enjoy and exercise within other States the said powers, rights, immunities, privileges and franchises, and such others as may be conferred upon it by any law of this State or of any other State in which any portion of its railroad may be situated, or in which it may transact any part of its business, and to hold meetings of its stockholders and of its Board of Directors, and to do all other acts and things without this State as validly and to the same extent as it may do the same within this State; and to make by-laws, rules and regulations in relation to its business and the number of its Directors, and the times and places of holding meetings of the stockholders and Directors, and the same to alter and change as may be deemed expedient: *Provided*, That such by-laws, rules and regulations shall conform to the laws of this State.

Capital stock.

Bondholders may vote.

Powers and privileges—general and special.

A. D. 1876.

Consolidation
with other
roads.

Agreement of
to be submitted
to b o n d -
holders.

SEC. 5. Any railroad company incorporated under the provisions of this Act shall also have power to consolidate its stock, property and franchises with those of any other railroad company whose railroad, within or without this State, shall connect with or form a continuous line with the railroad of the company incorporated under this Act, and so to consolidate upon such terms as may be agreed upon: *Provided, however,* That the agreement for any such consolidation shall be submitted to the stockholders of the railroad company incorporated under this Act at a general meeting called for considering the same, and shall be sanctioned by the holders of two-thirds of the stock represented at such meeting, in person or by proxy, and if sanctioned at such meeting, shall be filed in the office of the Secretary of State of this State: *And provided, further,* That such railroad shall not be exempted from taxation, and that such agreement for consolidation shall contain no provision in conflict with the provisions of this Act, or which shall exempt such railroad, so far as it lies within this State, from the operation of the laws of this State.

May contract
for the use of
other roads.

SEC. 6. Any railroad company incorporated under the provisions of this Act shall also have power to purchase or contract for the use and enjoyment, in whole or in part, of any other railroad or railroads lying within or without this State, if the same shall connect with or form a continuous line with the railroad of the company incorporated under this Act.

Approved March 24, 1876.

No. 172. AN ACT TO AMEND SECTION 3, CHAPTER CXI, OF THE REVISED STATUTES.

Jury Com-
missioners of
Spartanburg to
prepare jury
list.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 3 of Chapter CXI of the Revised Statutes, which requires that the Board of Jury Commissioners shall prepare a jury list in each County in the month of January of each year, be so amended as to make it lawful for the Board of Jury Commissioners for Spartanburg County to prepare a jury list for said County for the year 1876 on or before the 15th day of April in said year.

Jurors to be
drawn as now
prescribed,

SEC. 2. That from the list so prepared all grand and petit jurors required by law for the year 1876 shall be drawn, summoned and returned in the same manner as now prescribed by law.

Approved March 24, 1876.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO REDUCE ALL ACTS AND PARTS OF ACTS IN RELATION TO COUNTY COMMISSIONERS, THEIR POWERS AND DUTIES, INTO ONE ACT, AND TO AMEND THE SAME."

A. D. 1876.

No. 173.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 2 of an Act entitled "An Act to reduce all Acts or parts of Acts in relation to County Commissioners, their powers and duties, into one Act, and to amend the same," be, and the same is hereby, amended by striking out, on the first line of said Section, the words "second Tuesday of," and inserting in lieu thereof the following words to wit: "first Tuesday following the first Monday in." Also strike out the word "November," on line 13, Section 22, of the said Act, and insert the word "September."

Time of election changed.

Approved March 24, 1876.

AN ACT TO CHARTER HANKS' FERRY, OVER THE SAVANNAH RIVER, IN ANDERSON COUNTY. No. 174.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That a ferry be, and is hereby, established across the Savannah River, at or near Glenn Plantation, in Anderson County, to be known as the Hanks' Ferry, and that the same be, and is hereby, vested in James T. Hanks, John S. Scales, and their associates and assigns, for the term of fourteen years.

Hanks' Ferry chartered.

SEC. 2. That all and several the rights and privileges now vested by law in the ferries known as Brown's Ferry and Dooley's Ferry, in the County of Anderson, shall be extended to the said Hanks' Ferry, except as to location, and that it shall not be lawful for the said Hanks' Ferry to collect greater amounts of toll in any instance than is permitted by law to the said Brown's or Dooley's Ferries.

Vested with the same privileges as Brown's and Dooley's Ferries.

SEC. 3. All Acts and parts of Acts in conflict with the provisions of this Act shall be held of no force and effect as against the provisions herein contained.

Approved March 24, 1876.

A. D. 1876.

No. 175.

AN ACT TO ALTER AND AMEND SECTION 3 OF CHAPTER CII OF THE GENERAL STATUTES, RELATING TO THE CHANGE OF NAME.

Method of
changing one's
name.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 3 of Chapter CII of the General Statutes of the State of South Carolina be, and the same is hereby, altered and amended by striking out all of said Section after the words "and no more," occurring on the eighth line thereof. The words so stricken out being as follows: "Such proceeding, so certified, on being produced to the Secretary of State, shall, by him, be recorded in a book to be kept by him in his office for that purpose, whose duty it shall be forthwith to deliver to the petitioner a true copy of such record, with the seal of the State affixed, for which said Secretary shall be entitled to and receive from the petitioner the sum of five dollars, and no more; and upon the seal of the State being affixed to the record aforesaid and delivered to the petitioner, his or her name shall be, and is thereby, immediately changed to that contained in said record."

Approved March 24, 1876.

No. 176. AN ACT TO REGULATE THE APPOINTMENT AND SALARY OF TRIAL JUSTICES IN AND FOR THE TOWN OF ABBEVILLE.

Number.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Governor do appoint, by and with the advice and consent of the Senate, two Trial Justices for the town of Abbeville, and no more, to hold their offices for the term of two years.

Salary.

SEC. 2. That instead of the fees heretofore allowed by law to Trial Justices for criminal proceedings, and heretofore payable to them by the County, each of said Trial Justices shall be allowed a salary of four hundred dollars per annum, payable quarterly, and no account or claim other than for such salary shall be paid said Trial Justices by the said County on account of criminal proceedings.

Reports.

SEC. 3. That the said Trial Justices are hereby required, on the first of every month, to file with the Clerk of the Circuit Court of Abbeville County a report, duly verified, of all the fees and costs

charged and fines imposed in criminal cases and proceedings had before them, and immediately upon the filing of such report the said Trial Justices shall pay over to the County Treasurer of said County the amount of such fees, costs and fines by them severally collected and recovered.

A. D. 1876.
Fines collected.

SEC. 4. That all the appointments of Trial Justices for the town of Abbeville heretofore made shall cease and determine on and after the passage of this Act, and the Trial Justices provided for in this Act shall enter upon their duties immediately after their qualification.

Present appointments to cease.

SEC. 5. That the Trial Justices appointed for the town of Abbeville may each appoint one Constable to serve the processes of their respective Courts, removable at pleasure. The Constables so appointed shall each receive a salary of two hundred dollars per annum, to be paid in manner provided in Section 2 of this Act.

Constables.

SEC. 6. That if either of the Trial Justices appointed for the town of Abbeville shall neglect to attend to the duties of their offices, or shall fail to make their report and pay over all costs and fines as provided in Section 3, he shall be liable to indictment therefor, and on conviction shall be imprisoned in the County jail for a period not to exceed six months, or pay a fine not to exceed two hundred dollars, or both, within the discretion of the Court, and shall be removed from office.

Neglect of duties.

Punishment for.

SEC. 7. That the reports required to be made by Section 6 of this Act shall be read in open Court on the first day of the term of the Court of General Sessions.

SEC. 8. That all Acts or parts of Acts inconsistent with this Act are hereby repealed.

Approved March 24, 1876.

AN ACT TO PROHIBIT COUNTY TREASURERS FROM CHARGING No. 177.
COMMISSIONS ON SCHOOL FUNDS PAID OUT BY THEM.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act, any County Treasurer who shall demand or receive any commissions for paying out the school funds paid out by him from the person charged with receiving them, or shall charge any person commissions on the same, the County Treasurer so offending shall be deemed guilty of a misdemeanor, and, on

Treasurer not to charge commissions.

A. D. 1876.

conviction, shall be fined not less than fifty dollars for each such offense, or be imprisoned for a period not less than three months.

SEC. 2. All Acts or parts of Acts in conflict with this Act be, and the same are hereby, repealed.

Approved March 24, 1876.

No. 178. AN ACT TO PROVIDE FOR THE PAYMENT OF REWARDS OFFERED TO SECURE PUNISHMENT OF CRIMES.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That upon satisfactory information that any person shall have committed a high crime against the peace within this State, and the same shall be unknown, or a fugitive from justice, a reward for the apprehension and conviction of such person, not to be less in amount than fifty nor more than five hundred dollars, may be offered by proclamation of the Governor.

Governor to
offer rewards.

SEC. 2. That upon the filing with the County Commissioners of the County wherein such crime was committed, by any person claiming such reward, of such proclamation, and vouchers properly establishing such claim thereunder, such County Commissioners shall draw their warrant in favor of such claimant for the amount of such reward, upon the County Treasurer of the County, and the same shall be paid out of any excess arising in any specific appropriations or levies made by the County Commissioners in the year in which the said warrant may be drawn.

County Com-
missioners to
pay.

Approved March 24, 1876.

No. 179. AN ACT TO REQUIRE ALL PERSONS AUTHORIZED BY LAW TO DISBURSE MONEYS FOR THE STATE TO PUBLISH A MONTHLY STATEMENT.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all persons who are now, or who may hereafter become, authorized to disburse any funds for the State shall be required to publish in some newspaper of general circulation in the County where such disbursement is made or authorized to be made a monthly statement of all funds received and the date thereof, and of all funds

Disbursing
officers to pub-
lish monthly
statements.

paid out, when, to whom, and on what account; and any person failing so to do shall, upon conviction thereof, be liable to punishment therefor as for a misdemeanor in a fine not less than fifty nor more than one thousand dollars, or by imprisonment of not less than thirty days nor more than one year, or both. The expense of such publication to be paid out of the State funds in the hands of such persons, or funds appropriated for State purposes.

A. D. 1876.

SEC. 2. This Act shall have force from its passage.

Approved March 24, 1876.

AN ACT TO ENABLE W. CHRISTIE BENET TO APPLY FOR AD- No. 180.
MISSION TO THE BAR.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That W. Christie Benet, a subject of Great Britain, who has declared his intention to become a citizen of the United States, be, and he is hereby, permitted to apply for admission to the bar forthwith upon the passage of this Act, and, if found qualified, he shall be admitted to all the privileges granted by Section 2, page 502, of the Revised Statutes of South Carolina to persons applying for permission to practice as attorney at law.

Approved March 24, 1876.

AN ACT TO INCORPORATE THE MAIN LAND AND SEA SHORE No. 181.
TOLL BRIDGE COMPANY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Louis Sherfese, R. B. Howard, D. B. Gilliland, F. L. Cardozo, B. O'Neill, W. J. Gayer, F. Gregorie, W. C. Warne, John S. Horlbeck, S. E. Gaillard, James Cosgrove, J. C. H. Claussen, J. B. Patrick, M. P. O'Connor, H. S. Tew, J. M. Freeman, W. B. Muckenfuss, W. H. Jones and Abraham Smith, and their successors, are hereby created a body corporate and politic, under the name and style of the Main Land and Sea Shore Toll Bridge Company, with power to connect by bridge the main land of Christ Church Parish with Sullivan's Island, with power to the said corporation to regulate travel over the said bridge.

Corporators.

Corporate
name.

A. D. 1876.

Capital stock.

SEC. 2. The capital stock of the said company shall be twenty-five thousand (25,000) dollars, with the privilege of increasing the same to one hundred thousand (100,000) dollars, such stock to be issued in such manner as shall be determined by the by-laws of the said corporation; and the said corporation are hereby authorized to commence business under this Act as soon as ten per cent. of the stock thereof shall be paid in, the stockholders to be liable for the full amount of their respective shares on the par value thereof.

Purpose of corporation.

SEC. 3. That the said corporation shall have the right to construct the said bridge between the main land and Sullivan's Island on or in the vicinity of the bridge erected in 1862: *Provided*, That proper draws be constructed in all bridges built by said company.

Officers.

SEC. 4. That the said company shall be under the management of a Board of five Directors, who shall choose from among themselves a President, which said Board shall be annually elected from among the stockholders.

Corporate powers.

SEC. 5. That the said corporation shall have the right to have a corporate seal, and to make reasonable by-laws for its government, and its property and franchises, and to sue or be sued by the corporate name aforesaid.

SEC. 6. That this Act shall be and continue of force until repealed.

Approved March 24, 1876.

No. 182. AN ACT GRANTING CERTAIN PRIVILEGES TO H. Z. BURCKMEYER & COMPANY, OF THE CITY OF CHARLESTON.

Powers and privileges granted.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That H. Z. Burckmeyer & Company, of the city of Charleston, be, and they are hereby, authorized and empowered to sell at any two several points in the city of Charleston everything that is allowed to be sold at the market in said city, subject to the same municipal restrictions and regulations as are imposed upon vendors in the said market, except as to the location.

SEC. 2. That all Acts and parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

OF SOUTH CAROLINA.

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OFFICE OF SECRETARY OF STATE,

A. D. 1876.

COLUMBIA, S. C., March 25, 1876.

The foregoing Act having been presented to the Governor for his approval, and not having been approved or returned by him to that branch of the General Assembly in which it originated within the time prescribed by the Constitution, has become a law without his approval.

(Signed)

H. E. HAYNE,
Secretary of State.

AN ACT TO INCORPORATE THE TOWN OF GREER'S, IN GREEN- No. 183.
VILLE COUNTY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all persons, citizens of the United States, who now are, or hereafter may be, inhabitants of the town of Greer's, shall be deemed, and are hereby declared, a body politic and corporate; and said town shall be called and known by the name of Greer's, and its limits shall be deemed and held to extend one-half a mile in each direction from the Air Line Railroad Depot at said place.

Corporators.

Corporate limits.

SEC. 2. That the said town shall be governed by an Intendant and four Wardens, who shall be elected on the first Monday in April next, 1876, as well as on the first Monday in April of every year thereafter an election shall be held for an Intendant and four Wardens, who shall be citizens of the United States, and shall have been residents of the said town sixty days next preceding said election, at such place in said town as the Intendant and Wardens shall designate, ten days' notice thereof in writing being previously given; and that all the male inhabitants of said town of the age of twenty-one years who have resided therein sixty days previous to the election shall be entitled to vote for said Intendant and Wardens; and the election shall be held from seven in the morning until six o'clock in the evening, when the polls shall be closed and the Managers shall count the votes and proclaim the election, and give notice thereof to the persons elected; and that the Intendant and Wardens for the time being shall appoint Managers to hold the ensuing election; that the Intendant and Wardens, before entering upon the duties of their office, shall take the oath prescribed by the Constitution of the State, and the following oath, to wit: "As Intendant (or Warden, as the case may be,) of Greer's, I will equally and impartially, to the best of my ability, exercise the

Officers.

Qualification of electors.

Conduct of election.

A. D. 1876.

trust reposed in me, and will use my best endeavors to preserve the peace and carry into effect, according to law, the purposes of my appointment: So help me God."

Vacancies.

SEC. 3. That in case any vacancy shall occur in the office of the Intendant or any of the Wardens, by death, resignation, removal from the State, or from any other cause, an election shall be held by appointment of the Intendant and Warden (or Wardens, as the case may be,) ten days' public notice thereof, as aforesaid, being given; and in case of sickness or temporary absence of the Intendant, the Wardens, forming a Council, shall be empowered to elect one of themselves to act as Intendant during such sickness or absence.

Intendant and
Wardens in-
vested with
powers of Trial
Justices.

SEC. 4. That the Intendant and Wardens, duly elected and qualified, shall, during their term of service, severally and respectively, be vested with all the powers of Trial Justices and Justices of the Peace in this State for the preservation of the peace within the limits of said town; that the Intendant shall, as often as occasion may require, summon the Wardens to meet him in Council, a majority of whom shall constitute a quorum for the transaction of business, and shall be known as the Town Council of Greer's; and they and their successors in office shall have a common seal, and shall have power and authority to appoint from time to time such and so many proper persons to act as Marshals and Constables as they shall deem expedient and proper, which officers shall have all the powers, privileges and emoluments, and be subject to all the duties, penalties and regulations by the laws of the State for the office of Constable; and the Intendant and Wardens in Council shall have power and authority, under the corporate seal, to ordain and establish all such rules and by-laws and ordinances respecting the streets, ways, public wells, springs of water, markets and police of said town, and for preserving health, peace, order and good government within the same, as they may deem expedient and proper; and the said Council may affix fines for offenses against such by-laws and ordinances and appropriate the same to the use of the corporation, but no fine shall exceed fifty dollars. All fines may be collected by an action for debt before a proper tribunal.

Town Mar-
shal.

Corporate
powers.

Nuisances.

SEC. 5. That the said Council shall have power to abate or remove nuisances within the limits of said town, and also to classify and arrange the inhabitants liable to public duty, and require them to perform such duty as occasion may require, and enforce performance of the same under the same penalties as are now or may hereafter be established by law: *Provided, always, nevertheless,* That said Town Council shall have power to compound with the persons

Persons liable
to road duty.

liable to perform such duty, under such terms as they shall by ordinance establish.

A. D. 1876.

SEC. 6. That it shall be the duty of the Intendant and Wardens to keep all streets and ways in the limits of said town open and in good order, and for that purpose they are hereby invested with all the powers and privileges granted by law to the Commissioners of Roads within the limits of said town; and for neglect of duty they shall be liable to the same pains and penalties imposed by law upon Commissioners of Roads for like neglect; and they are hereby individually exempt from the performance of road and public duty; and the inhabitants of said town are hereby exempt from road duty without the limits of said corporation.

Streets and ways.

SEC. 7. That the said Intendant and Wardens shall have power to compound with persons liable to work on said streets and ways, and to release such persons as may desire it upon the payment of such sum of money as they may deem a fair equivalent therefor, to be applied by them to the use of the corporation:

May compound with persons liable to road duty.

SEC. 8. That the said Town Council of Greer's shall also be empowered to retain, possess and enjoy all such property as they may be possessed of or entitled to, or which shall hereafter be given, bequeathed to or in any manner acquired by them, and to sell, alien or in any way transfer the same or any part thereof: *Provided*, The amount of property so held or stock so invested shall in no case exceed the sum of twenty thousand dollars.

Powers and privileges.

SEC. 9. That the said Town Council shall have power to impose an annual tax upon all real and personal property within the limits of said town: *Provided*, Said tax does not exceed the sum of fifteen cents on the one hundred dollars.

Imposition of taxes.

SEC. 10. That the Intendant and Wardens of the said town of Greer's shall have power to regulate sales at auction within the limits of said town and grant licenses to auctioneers: *Provided*, That nothing herein contained shall extend to sales by or for Sheriffs, Clerks of Courts, Judges of Probate, Coroners, executors, administrators, assignees, or by any other person under the order of any Court or Magistrate.

Granting of licenses.

SEC. 11. That the Intendant and Wardens shall have power and authority to require all persons owning a lot or lots in the said town of Greer's to keep in repair the sidewalks adjacent to their lots, respectively, and for default in this matter shall have power and authority to impose a fine not exceeding four dollars.

Sidewalks in town.

SEC. 12. That the authority to refuse or grant licenses to keep a tavern or retail intoxicating drinks be, and the same is hereby, vested in the Town Council of Greer's, and that they be also invested with all the necessary power, by ordinance or ordinances, to suppress

Licenses to retail spirituous liquors.

A. D. 1876.

or regulate intoxicating drinks to be drank at the place where sold, or in or upon any of its appurtenances, or in or upon any of its highways, streets, lanes, alleys, commons, kitchens, stores, shops, public buildings, stalls or out-houses of the said town, or within a half a mile of the Atlanta and Richmond Air Line Railroad Depot in said town: *Provided*, No rule or regulation shall be made inconsistent with the Constitution and laws of the State.

Clerk of Court
to appoint
Managers of
election.

SEC. 13. For the purpose of holding the first election under this Act, the Clerk of the Court of Common Pleas of Greenville County shall designate three suitable persons, citizens of said town, to act as Managers of the Election, and said Managers so appointed shall give at least ten days' previous notice of said election.

Town Weigher.

SEC. 14. That the Intendant and Wardens of the town of Greer's be, and they are hereby, empowered to establish an office of Town Weigher, and to elect a suitable person to perform the duties of such office,* under such rules, regulations and restrictions as the said Intendant and Wardens may by ordinance establish.

SEC. 15. That this Act be deemed a public Act, and continue in force until repealed.

Approved March 25, 1876.

No. 184. AN ACT TO INCORPORATE THE FLORENCE, LYDIA, BISHOPVILLE AND SUMTER RAILROAD COMPANY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That M. Marco, H. L. Tramfort, A. R. Galloway, O. D. Lee, H. A. Lee, H. M. Woodham, J. E. Woodham, C. Pate, W. K. Bell, B. Fields, T. B. Johnston, John A. Whittemore, T. C. Coglan, W. E. Johnston, J. C. Clemmens, J. P. Clemmens, R. H. Humbert, John B. Johnston, S. J. Keith, B. F. Whittemore, J. A. Smith, J. Wright, T. C. Cox, Paul Whipple, E. C. Baker, Alfred Rush, Jordan Lang, John Lunney, and such other persons and corporations as may be associated with them, and their successors and assigns, be, and they are hereby, created a body politic and corporate, by the name and style of the Florence, Lydia, Bishopville and Sumter Railroad Company; and by that name may sue and be sued, plead and be impleaded, answer and be answered unto, in any Court of law and equity in this State or of the United States; may make by-laws and appoint all necessary officers and prescribe their duties; and may accept, purchase, hold and convey any property, either real or per-

Corporators.

Corporate
name.

Corporate
powers.

sonal, necessary for the purposes hereinafter mentioned; may make contracts, have and use a common seal, and do all other lawful acts properly incident to and connected with said corporation, and necessary for the control and transaction of its business: *Provided*, That the by-laws be not repugnant to the Constitution and laws of this State or of the United States.

A. D. 1876.

SEC. 2. That for the organization of said company, the persons hereinbefore named, or a majority of them, shall have the power to appoint the time and place at which subscriptions for stock may be taken in said company, and appoint all necessary Commissioners and agents to superintend the same; and every person, corporation, company or body politic subscribing at any such time or places, or at any time or place afterwards, under the direction of a majority of said corporators or directors hereinbefore named, shall be stockholders in said company, and shall pay in the stock so subscribed for at such times and in such amounts as the by-laws and regulations of said company may require; and said corporators, or a majority of them, shall, within a reasonable time thereafter, appoint a time and place for the meeting of said stockholders, of which they shall give thirty days' notice in such public papers of this State as they may deem necessary, at which time and place, or at any other time or place of which notice may be given as aforesaid, said stockholders may proceed to the organization of said company by the election of a President and twelve Directors, who shall constitute the first Board of Directors; and said President and Directors shall hold their offices for one year, and until their successors are elected, and may prescribe, in their by-laws, the time and manner of holding their subsequent annual elections for President and Directors; and in all cases the stockholders shall have a right to vote by proxy or in person; and said stockholders shall be entitled to one vote for each share he, she or they may have, in his, her or their own right, or as trustee for another, for three months next preceding said election. Said Board shall have power to fill all vacancies which may occur in their own body until the regular annual election by the stockholders, and shall fix the compensation of the President. Seven Directors shall constitute a quorum for the transaction of business, of which the President shall be one, except in case of sickness or absence, when his place may be filled by one of the Directors present, to be elected President *pro tem.* by a majority of the Board present.

Subscriptions
to capital stockManner of
paying.Organization of
company.

Officers.

Vacancies.

SEC. 3. That the capital stock of said company shall be five hundred thousand dollars, which may be increased to an amount not exceeding the cost of construction and outfit of the said road, to be divided into shares of twenty-five dollars each, and said shares shall

Capital stock.

A. D. 1876.

be transferable on the books of the company in such manner as may be prescribed by the Board of Directors; and no stockholder indebted to said company shall transfer his or her stock without the consent of the Board of Directors.

Purpose of
corporation.

SEC. 4. That said company shall have full power and authority to survey, lay out and construct a railroad from the town of Florence, in Darlington County, through Lydia, in Darlington County, and to Bishopville, Sumter County, with the privilege of extending the road to the town of Sumter, in Sumter County, and the same to equip, use and enjoy, with all the rights, privileges and immunities granted to the Greenville and Columbia Railroad Company and under the Act incorporating the same, and the several Acts amendatory thereof, so far as they may be applicable to the purposes of the charter hereby granted: *Provided*, That nothing herein contained shall be so construed as to exempt said company from the payment of taxes: *Provided, further*, That nothing herein contained shall be so construed as to exempt the said company from the provisions of Section 1, Chapter XLIII, of General Statutes.

Not exempt
from payment
of taxes.

Disputes as
to right of way.

SEC. 5. That all questions affecting the right of way between the said company and the owners of any land over which the said railroad may be located, when the parties cannot agree concerning the same, shall be adjusted and determined in the same manner as provided for in an Act to declare the manner by which the lands, or right of way over the lands, of persons or corporations may be taken for the construction and uses of railways and other works of internal improvement," approved September 22, A. D. 1868.

Subscriptions,
how payable.

SEC. 6. That said company is authorized to receive subscriptions to its capital stock in land or labor, as may be agreed upon between said company and said subscribers; and may acquire, by grant, lease, purchase or otherwise, any estate, real or personal, whatsoever, and to hold, use, sell, convey and dispose of the same as the interest of said company requires: *Provided*, That the work for the execution whereof said company is incorporated shall be commenced within two years after the first day of January next, and be completed within five years after its commencement.

When to com-
mence work.

SEC. 7. That when seventy-five thousand dollars shall have been subscribed, and one dollar on each share shall have been paid in, the said company may organize and proceed to work.

Subscriptions
by municipal
corporations.

SEC. 8. That from and after the passage of this Act, it shall be lawful for any County, town or city in this State interested in the construction of the Florence, Lydia, Bishopville and Sumter Railroad, in South Carolina, or any other branch thereof, to subscribe to the capital stock of said company, or of any company with which it may consolidate or unite, such sum, and to be payable in such

manner, as the people or the proper authorities of such County, town or city shall deem best, determine and authorize: *Provided*, That the amount of stock to be subscribed shall not exceed five per cent. of the entire valuation of the entire property of the County, town or city so subscribing: *Provided, further*, That the County, city or town subscribing, under the provisions of this Act, to the capital stock of the said railroad company shall have issued to the said County, city or town preferred stock in said railroad company to the amount of said subscription.

A. D. 1876.

Limitation of.

SEC. 9. That no stockholder of said company shall be held liable for the debts, contracts or acts of said corporation beyond the amounts actually subscribed to the capital stock of said company by such stockholder.

Liability of stockholders.

SEC. 10. That this Act shall be deemed and taken as a public Act, and continue in force ninety-nine years.

Approved March 25, 1876.

AN ACT TO AMEND SECTION 2 OF CHAPTER LI OF TITLE XII No. 185.
OF THE REVISED STATUTES, RELATING TO THE STORAGE OF
COTTON.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 2 of Chapter LI of Title XII of the Revised Statutes be, and the same is hereby, amended so as to read as follows: "That the rate of storage of cotton shall not exceed twelve and one-half cents per week for each bale of cotton; that the charges for weighing cotton shall not exceed ten cents for each bale; and that any person violating the provisions of this Section, or either of them, shall forfeit to the owner of the cotton ten dollars for each offense, which may be recovered by him in any Court of competent jurisdiction in this State."

Rates of storage prescribed.

OFFICE OF SECRETARY OF STATE,
COLUMBIA, S. C., March 25, 1876.

The foregoing Act having been presented to the Governor for his approval, and not having been approved or returned by him to that branch of the General Assembly in which it originated within the time prescribed by the Constitution, has become a law without his approval.

(Signed)

H. E. HAYNE,
Secretary of State.

A. D. 1876:

No. 186.

AN ACT TO INCORPORATE THE NARROW GAUGE RAILROAD AND
TRANSPORTATION COMPANY, OF SOUTH CAROLINA.

- SECTION 1.** *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That R. H. Cain, William M. Thomas, W. R. Jervay, M. Eden, William S. Eden, R. J. Limehouse, M. E. Hutchinson, Thomas Vardell, A. T. Williams, James Wilkinson, Joseph A. Sasportas, Daniel Knight, Wm. Myers, Alfred Humbert and W. H. Morris, their associates and successors, are hereby declared a body politic and corporate, under the name and style of the Narrow Gauge Railroad and Transportation Company, of South Carolina; and by that name and title shall have power to take, subscribe and raise a capital stock to the amount of two hundred and fifty thousand dollars, (\$250,000,) in shares of twenty-five (25) dollars each, if so much be necessary for the purpose contemplated, with power to increase said capital to the further sum of five hundred thousand dollars (\$500,000) if found necessary: *Provided*, That such increase be assented to by a majority in number of the shares or stockholders, who shall be notified in two of the public newspapers of the Counties through which said road shall be constructed of such meeting held for such purpose.
- SECTION 2.** That the said Narrow Gauge Railroad Company shall have power and authority to lay railway tracks from Boundary street, in the city of Charleston, and King street, along the public road to the boundary of the city limits, and thence to the Parish line, intersecting the Dorchester Road along the line parallel with the Ashley River, and upon said Dorchester road to the village of Lincoln or Pine Ridge or Twenty-Mile Board on the South Carolina Railroad, and to take possession of any lands that may be necessary for constructing of the same at such prices as the market value demands for the same.
- SECTION 3.** That the said Narrow Gauge Railroad Company shall be able and capable, by its corporate name, to buy property and to sell for purposes of its business; to sue and be sued, plead and be impleaded, in any Court of law or equity in this State; to have succession of officers and members; and shall have power to make by-laws, not repugnant to the laws of the land, for the government and good order of its members, as shall be deemed expedient by a majority of the stockholders; and to have a common seal, and to alter and make new the same.
- SECTION 4.** The Narrow Gauge Railroad Company shall have power to issue bonds to an amount equal to one-half of the capital sub-

scribed, the same to be redeemable at such time, not exceeding twenty (20) years, as may be agreed upon by the said company, and to bear interest at seven (7) per cent. per annum, and payable semi-annually. A. D. 1876.

SEC. 5. The said railroad company shall have the right to cross the South Carolina Railroad at such points as shall be necessary to carry out the design of its construction.

SEC. 6. This Act shall remain in force for thirty years: *Provided*, That nothing herein contained shall exempt said road from taxation.

SEC. 7. All Acts and parts of Acts inconsistent with this Act are hereby repealed.

Approved March 25, 1876.

AN ACT TO INCORPORATE THE CAMDEN BUILDING AND LOAN No. 187.
ASSOCIATION.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Frank P. Beard, C. J. McDowell, Donald McQueen, J. M. McCurry, J. J. Mackay, D. C. Kirkley and W. Le Arthur, together with other persons who now are or hereafter may be associated with them, be, and are hereby, declared a body politic and corporate, under the name and style of the Camden Building and Loan Association, the capital stock of which shall consist of two hundred shares, to be paid in by successive installments of one dollar per share monthly so long as the corporation shall continue, the said shares to be held, transferred, assigned and pledged, and the holders thereof to be subject to such fines and forfeitures for defaults in their payments, according to such regulations as may be prescribed by the by-laws of said corporation.

Corporators.

Corporate name.

Capital stock.

SEC. 2. That the said corporation shall have power and authority to make any such rules and by-laws for its government as are not repugnant to the Constitution and laws of the land; and shall have such number and succession of members and officers as shall be ordained and chosen according to the said rules and by-laws made or to be made by them; shall have and keep a common seal, and may alter the same at will; may sue and be sued, plead and be impleaded, in any Court of law or equity in this State, and shall have and enjoy all and every right and privilege incident and belonging to corporate bodies according to the laws of the land.

Powers and privileges.

A. D. 1876.

Loan of funds.

SEC. 3. That the funds of said corporation shall be loaned and advanced to the members or stockholders upon the security of real and personal estate, in such mode, on such terms, and under such conditions and subject to such regulations as may from time to time be prescribed by the rules and by-laws of said corporation; and it shall be lawful for said corporation to hold such lands, tenements, hereditaments and personal property as are now or shall hereafter be mortgaged or conveyed to them in good faith by way of security upon its loans or advances; and may purchase at sales thereof made according to law upon judgments or decrees at law or in equity for the recovery of their debts, and to sell, alien or otherwise dispose of the same as they from time to time may deem expedient.

Unproductive funds may be loaned to others than stockholders.

SEC. 4. That whenever it shall occur the funds of said corporation shall remain unproductive and uncalled for for the space of two months, the corporation shall have power to loan whatever amount may be thus on hand to others than stockholders and members for such time and at such rates of interest as may be established by such rules and by-laws of such corporation.

Division of gains.

SEC. 5. That whenever the funds of such corporation shall have accumulated to such an extent that, upon a fair and just division thereof, each stockholder and member thereof shall have received or be entitled to receive the sum of two hundred dollars, or property of that value, for each and every share of stock by him or her so held, and such distribution shall have been so made, then this corporation shall cease and determine. This Act shall be deemed a public Act, and the same shall be given in evidence without specially pleading the same.

Approved March 25, 1876.

No. 188. AN ACT TO INCORPORATE THE TOWN OF CLINTON, LAURENS COUNTY.

Corporate limits.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the citizens of this State, who may be inhabitants of the town of Clinton, in the County of Laurens, within the limits hereinafter prescribed, are hereby declared a body corporate. The limits of said town shall be held and deemed to be in the form of a circle, and a square touching the circumference of said circle on the northeast, south and west; the said circle to describe a circumference of one mile in

all directions, from the depot of the Laurens Railroad; and said streets to remain the same, within the limits of said town, as now established by law; and such new streets as have been laid off and opened from time to time are hereby declared to be streets in said town, and shall so remain until altered by lawful authority.

A. D. 1876.

SEC. 2. The said town shall be called Clinton, and be governed by an Intendant and four Wardens, to be called the Town Council of Clinton, and by that name have succession of members, keep a common seal, take and hold property (necessary for corporate uses only,) sue and be sued, implead and be impleaded, and enjoy every right incident to an incorporation.

Officers.

SEC. 3. That the said Intendant and Wardens shall be always persons who are constitutionally qualified to vote for members to the Legislature in this State who actually reside within the limits aforesaid, and have so resided at least sixty days immediately preceding their election. Before entering upon the duties of their offices, they shall take the oath prescribed by the Constitution of this State, and also the following oath: "I do solemnly swear (or affirm) that I am duly qualified, according to law, to exercise the duties of the office of Intendant (or Warden) of the town of Clinton, and that I will equally and impartially discharge the trust reposed in me, and will use my best endeavors to preserve the peace and carry into effect, according to law, the purposes of my appointment: So help me God." The Intendant and Wardens shall hold their offices from the time of their election until the second Monday in January ensuing, and until their successors shall be elected and enter upon the discharge of their duties.

Qualification of officers.

Oath of office.

SEC. 4. That all male persons who are constitutionally qualified to vote for members of either branch of the Legislature, and who have been permanent residents in the said town for sixty days immediately previous to the election in which they offer to cast their votes, (not, however, including transient boarders and lodgers,) shall be entitled to a vote for Intendant and Wardens of the said town.

Qualification of Electors.

SEC. 5. That in case a vacancy should occur in the office of Intendant or any of the Wardens by death, resignation, removal or otherwise, or in case of a tie in said election, an election to fill such vacancy shall be held by the appointment of the Intendant and Wardens, ten days' public notice being previously given; and in case of sickness or temporary absence of the Intendant, the Wardens, forming a Council, shall be empowered to elect one of the Wardens to act in his place during the time.

Vacancies.

SEC. 6. The election of the Intendant and Wardens of said town, after the first election under this charter, which first election shall

Time of holding election.

A. D. 1876.

be held on the fourth Monday in March, 1876, in like manner as is provided herein for all elections of Intendant and Wardens under this charter, shall be held at the town hall, or some other convenient public place in said town, on the second Monday in January of each and every year, from ten o'clock A. M. until three P. M., when the polls shall be closed, and the Managers shall forthwith count the votes, proclaim the election, and give notice, in writing, to the persons elected. The Intendant and Wardens for the time being shall appoint three Managers to hold the ensuing election; and for any subsequent election, whenever there shall not be an Intendant and Wardens, it shall be the duty of the Clerk of the Court of Laurens County to order such election forthwith, and appoint three Managers for the same. The Managers shall, in each case, before they open the polls for such election, take an oath fairly and impartially to conduct the same; and the Managers of such election are hereby authorized and empowered to administer, if they see fit, an oath to any person offering to vote, and to make all other necessary enquiries for the purpose of ascertaining whether such person or persons are qualified to vote under this law.

Managers to
proclaim elec-
tion.Appointment
of Managers.Intendant and
Wardens in-
vested with
powers of Trial
Justices.

SEC. 7. That the Intendant and Wardens, duly elected and qualified, shall, during their term of service, severally and respectively, within the limits of said town, be vested with all the powers and jurisdictions of Trial Justices of this State, except for the trial of civil suits. The Intendant shall, as often as occasion may require, summon the Wardens to meet him in Council, a majority of whom shall constitute a quorum for the transaction of business. The said Town Council shall have full power, under its corporate seal, to ordain and establish all such rules, by-laws and ordinances respecting the streets, pavements, ways, market, public buildings, weights, measures, wells, disorderly places, fire department, police, and in general every other by-law as shall appear to them requisite for the security, welfare and convenience of said town, and for preserving health, peace, cleanliness, order and good government within the same, and to prevent the violation of its ordinances by imposing fines not to exceed twenty dollars, or imprisonment not exceeding ten days for each offense: *Provided*, That no fine above the sum of twenty dollars shall be collected by the said Council except in a Court having jurisdiction: *And provided, also*, That no ordinance shall be repugnant to or inconsistent with the laws of the land; and all ordinances shall be at all times subject to a repeal by the Legislature.

Corporate pow-
ers.Imposition of
fines.Town Mar-
shal.

SEC. 8. The Intendant and Wardens shall also have power to elect or appoint a Marshal, and, if they see fit, a Deputy Marshal,

upon such terms as they may deem proper, who shall be duly sworn by the Intendant, invested with all the powers Constables now have by law, and whose power and authority shall be confined within the limits of said town, and whose duty shall be to collect all fines and forfeitures imposed by the Intendant and Wardens, and to enforce and carry into effect the by-laws and ordinances of the said corporation, and who shall be liable to be removed by the said Town Council; and the said Intendant and Wardens shall also have power to establish an ordinance whenever they shall deem it expedient to appoint and establish a police corps or night watch for the said town, the expense of the same to be provided for out of the revenue of the said corporation.

A. D. 1876.

Duties.

SEC. 9. That the said Town Council shall have power to establish a guard house, and to prescribe, by ordinance, suitable rules and regulations for keeping and governing the same; and the said Town Council may, by ordinance, or said Intendant and Wardens may, in person, any one or more of them, authorize and require any Marshal, Deputy Marshal or police officer, or any Constable specially appointed, to arrest and commit to said guard house or other place of custody, to be designated by the Intendant and Wardens, for a term not exceeding forty-eight hours, any person or persons who may be engaged in a breach of the peace, any riotous or disorderly conduct, open obscenity, public drunkenness, or in any conduct grossly indecent or dangerous to the citizens of the said town, or any of them; and it shall be the duty of the town Marshal or other police officer to arrest and commit all such offenders, and who shall have power to call to their assistance the *posse comitatus*, if need be, to aid in making arrests; and upon failure of said Marshal or police officer in the performance of such duty as required, they shall severally be subject to such fines and penalties as Council may establish; and all persons lawfully imprisoned shall pay the costs and expenses incident to their imprisonment, and be subject to such fines as Council may impose for the offense committed.

Establishment of Guard House.

Commitments thereto.

SEC. 10. That the said Intendant and Wardens shall have full power to abate and remove nuisances in the said town.

Nuisances.

SEC. 11. That it shall be the duty of the said Council to keep all roads, ways and streets within the corporate limits open and in good repair, and for that purpose they are invested with the powers vested in County Commissioners; and they shall have full and exclusive power to order out all the hands now liable or hereafter made liable by the laws of this State, and to require them to work on the respective roads, ways and streets within the limits of said corporation as many days in each year, and to inflict the same fines

Town Council invested with powers of County Commissioners, as to roads, streets, &c.

A. D. 1876.

and penalties for the non-performance thereof, as is by law now inflicted by the different Boards of County Commissioners in the respective Counties in the State; and for neglect of duty they shall be liable to the same penalties as are now imposed on County Commissioners: *Provided*, It shall not be obligatory on the Town Council to open any street within the limits of said town unless upon the petition of the person applying for the same, alleging that the said street is necessary for his use and accommodation, and that there is no other direct or convenient access for him to the business part of the town, which petition shall be verified by the affidavit of the applicant and recommended by at least twelve of the taxable inhabitants of the said town.

Opening of
new streets.

May compound
with persons
liable to road
duty.

SEC. 12. The said Intendant and Wardens shall have power to compound with all persons liable to work on said roads, ways and streets, upon payment of such sum of money as they may deem a fair equivalent therefor, to be applied to the use of said corporation. And the said Intendant and Wardens are hereby individually exempted from the performance of road and police duty; and no person residing in said town shall be liable to work on any road without the said limits or to be taxed or assessed for the same.

May grant
licenses to re-
tail liquor.

SEC. 13. That the power to grant licenses for billiard tables, to keep taverns or retail spirituous liquors, within the limits of the said incorporation, be, and the same is hereby, vested in the Town Council of Clinton, which license shall be granted upon the same conditions as they are now or may hereafter be granted under the laws of this State: *Provided*, Said Town Council of Clinton shall have the right to fix the amount to be paid for such license, not to be less than the amount required by the laws of the State at the time such license shall be granted; and all moneys received for licenses, taxes, fines, exhibitions, &c., &c., within the said limits, shall be appropriated to the public uses of said incorporation.

Fines to be
collected by
fieri facias.

SEC. 14. That all fines and forfeitures imposed by said Town Council under the power vested by law, shall be collected by *fieri facias*. The Sheriff for the County of Laurens, for the time being, and his lawful deputies, be, and they are hereby, authorized to execute the process of the said Council of Clinton, as by law the Marshal of said corporation might or should now do, having the same privileges, powers and emoluments, and subject to the same duties and penalties as herein provided: *Provided*, That all *nulla bona* costs incident on any execution issuing from said Town Council, and directed to the said Sheriff, shall be paid by said Town Council.

Imposition of
taxes.

SEC. 15. That the said Town Council of Clinton shall have power to impose, for the use of said incorporation, the following annual

taxes : On all real estate within the limits of said town, except that held for religious, charitable or educational purposes, a tax not exceeding one quarter of one per cent.; on all sales of merchandise and income arising from factorage, faculties and professions, except salaries of clergymen of all religious denominations, a tax not exceeding one-eighth of one per cent.; on all wheel carriages, wagons or drays kept for hire, a sum not exceeding five dollars each ; on all itinerant traders, a tax not exceeding twenty-five dollars ; also, to prescribe and fix the tax on all shows and exhibitions within the limits of said corporation. And the said Town Council shall have power to enforce the payment of all taxes and assessments levied under authority of this Act, against the property and persons of all defaulters, to the same extent, and in the same manner as is provided by law for the collection of the general State taxes, except that the executions may be directed either to the Sheriff or Town Marshal or other person specially appointed by Council to collect the same.

A. D. 1876.

Collection of.

SEC. 16. And that this Act shall be deemed and taken to be a public Act, and shall continue in force until repealed.

Approved March 25, 1876.

AN ACT TO REGULATE THE TIMES OF HOLDING THE CIRCUIT No. 189.
COURTS OF GENERAL SESSIONS AND COMMON PLEAS IN THE
SEVENTH CIRCUIT.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That on and after the first day of April, 1876, the Circuit Courts of General Sessions and Common Pleas in the Seventh Judicial Circuit shall be held as follows :

1. The Court of General Sessions for the County of Newberry, on the first Monday in January, the first Monday in May and the first Monday in October of each year, at the town of Newberry. The Court of Common Pleas for the County of Newberry, at the town of Newberry, on the first Wednesday after the first Monday in January, the first Wednesday after the first Monday in May and the first Wednesday after the first Monday in October of each year.

Courts in
Newberry
County.

2. The Court of General Sessions for the County of Laurens, at the town of Laurens, on the fourth Monday in January, the fourth Monday in May and the fourth Monday in October of each year.

Laurens
County.

A. D. 1876.

The Court of Common Pleas for the County of Laurens, at the town of Laurens, on the first Wednesday after the fourth Monday in January, the first Wednesday after the fourth Monday in May and the first Wednesday after the fourth Monday in October of each year.

Union County.

3. The Court of General Sessions for the County of Union, at the town of Union, on the third Monday in February, the third Monday in June and the second Monday in November of each year. The Court of Common Pleas for Union County, at the town of Union, on the first Wednesday after the third Monday in February, the first Wednesday after the third Monday in June, and the first Wednesday after the second Monday in November of each year.

Spartanburg
County.

4. The Court of General Sessions for the County of Spartanburg, at the town of Spartanburg, on the first Monday in March, the fourth Monday in July and the first Monday in December of each year. The Court of Common Pleas for the County of Spartanburg, at the town of Spartanburg, on the first Wednesday after the first Monday in March, the first Wednesday after the fourth Monday in July and the first Wednesday after the first Monday in December of each year.

SEC. 2. That all Acts and parts of Acts inconsistent with the provisions of this Act be, and the same are hereby, repealed.

Approved March 25, 1876.

No. 190. AN ACT TO AMEND AN ACT ENTITLED "AN ACT RELATIVE TO CONTRACTS FOR THE EXECUTIVE DEPARTMENTS OF THE STATE GOVERNMENT AND FOR THE GENERAL ASSEMBLY."

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 2 of an Act entitled "An Act relative to contracts for the Executive departments of the State Government and for the General Assembly," approved March 24, 1875, be, and the same is hereby, amended so as to read as follows: "That the Clerk of the Senate be, and he is hereby, authorized and required, on the first day of each regular session, to draw a pay certificate of ten dollars in favor of each member of the Senate, which shall be given in lieu of all stationery and postage to be used in his official capacity during such session, and in addition to the compensation and mileage of each member; and the Clerk of the Senate is further authorized

Allowance of
stationery for
members of the
Senate.

and required to furnish, for the general use of the Senate in its Committee rooms and the Senate Chamber, such stationery as may be necessary for the current fiscal year: *Provided*, The amount for such general use for each fiscal year shall not exceed three hundred dollars." A. D. 1876.
Allowance for Committee rooms.

SEC. 2. That Section 3 of said Act be, and the same is hereby, amended, so as to read as follows: "That the Clerk of the House of Representatives be, and he is hereby, authorized and required, on the first day of each regular session, to draw a pay certificate of ten dollars in favor of each member of the House of Representatives, which shall be given in lieu of all stationery and postage, to be used in his official capacity during such session, and in addition to the compensation and mileage of each member; and the Clerk of the House of Representatives is further authorized and required to furnish for the general use of the House and its Committee rooms such stationery as may be necessary for the current fiscal year: *Provided*, The amount for such general use for each fiscal year shall not exceed the sum of five hundred dollars." Stationery for members of the House.

Allowance for Committee rooms.

SEC. 3. That the Clerk of the Senate and Clerk of the House of Representatives be, and they are hereby, authorized to furnish for their respective offices such stationery as may be necessary for the current fiscal year, to an amount not to exceed five hundred dollars for each office. Allowance for Clerks' offices.

SEC. 4. That Section 11 of an Act entitled "An Act relative to contracts for the Executive departments of the State government and for the General Assembly," approved March 24, 1875, be, and the same is hereby, amended as follows: Strike out the word "twenty," in line one of the Section, and insert the word "fifteen." Appropriation therefor.

SEC. 5. All Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved March 25, 1876. .

AN ACT TO INCORPORATE THE BISHOPVILLE, SUMTER AND WATEREE RAILROAD COMPANY. No. 191.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That for the purpose of establishing a railroad from Bishopville, in the County of Sumter, by way of the town of Sumter, to some point on the South Carolina Railroad, or on the Camden branch of said South Carolina Railroad, James A. Carnes, John S. Bradley, B. J. Bar- Corporators

- A. D. 1876.** nett, E. H. Holman, J. W. Westberry, Alfred J. China, D. J. Winn, C. H. Moise, and their associates and successors, are hereby constituted a body corporate and politic, by the name and style of the Bishopville, Sumter and Wateree Railroad Company, with authority to construct a railroad, with or without iron rails, as may be deemed most advisable, to and from the points above named, with the power to extend the same from Bishopville in such direction and to such point as said company shall hereafter determine.
- Corporate name.**
- Capital stock.** SEC. 2. That for the purpose of raising the capital stock of the said company, it shall be lawful to open books at Bishopville, Maunville, Mechanicsville, Sumter, and at such other points, and at such times, and under the direction of such persons as the above named corporators, or a majority of them, shall direct and appoint, for the purpose of receiving subscriptions to an amount not exceeding eight hundred thousand dollars, in shares of twenty-five dollars each, for the purpose of constructing said road. That on each share of the stock subscribed the subscriber shall pay to the Commissioner receiving such subscription the sum of two dollars; and no subscription shall be valid without such payment; and all such payments shall be deposited in a national bank, subject to the order of the company when fully organized.
- Value of shares.**
- Organization.** SEC. 3. That when the sum of one hundred thousand dollars shall be subscribed, either in money, wood, land or material, the subscribers shall meet and organize, at such time and place as may be named by a majority of the corporators above named; and for the purpose of organizing the said company, all the rights and privileges conferred upon the Northeastern Railroad Company, according to their original charter, be, and the same are hereby, conferred upon the said Bishopville, Sumter and Wateree Railroad Company: *Provided*, That nothing herein contained shall be construed to exempt said company from taxation.
- Charter of N. E. R. R. Co. to apply to.**

Approved March 25, 1876.

No. 192. AN ACT TO INCORPORATE THE CHARLESTON AND GEORGETOWN RAILROAD AND TRANSPORTATION COMPANY.

Corporators. SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That R. T. Morrison, J. W. Venning, A. Wilkins, Abram Smith, Juliam Mitchell, J. C. Doar, Major Hamilton, Charles Small, S. D. Russell, R. T. Morrison, Jr., James S. Simons, Nat. Holmes, Fred. J.

Smith, Charles Gould, Ned Winds, William Drayton, Monday Castle, Harrison Robinson, Nat. White, William Henderson, Ben. King, John Green, Charles Williamston, R. M. Heriot, W. H. Jones, Charles S. Green, B. H. Williams, J. R. Jerman, Wm. P. Beckman, L. P. McCormack, J. W. Miller, Aaron Logan, and their successors, be, and they are hereby, constituted a body politic and corporate, under the name and style of the Charleston and Georgetown Railroad and Transportation Company; under that name and style shall be, and are hereby made, capable to have, purchase, hold, enjoy and retain to their successors lands, rents, tenements, goods, chattels and effects of whatsoever kind or quality, and the same to sell, alien or dispose of; to sue or be sued, plead or be impleaded, answer and be answered, defend and be defended in Courts of record, or any other place whatsoever; to have perpetual succession; to have and to exercise all the rights and privileges of all railroad companies or corporations of a similar kind now existing or hereafter to be created in this State.

A. D. 1876.

Corporate
name.Corporate
powers.

SEC. 2. That the said company be, and is hereby, authorized and empowered to construct, maintain and operate a railroad, with either iron or wooden rails, of any gauge not less than three feet, and with one or more tracks, extending from a point at or near the city of Charleston, by the most practicable route through Mount Pleasant, Christ Church and St. James' Santee Parishes, in the County of Charleston, to Georgetown, with the privilege of using such portions of the old Georgetown road as may be necessary: *Provided*, The public highway be left open, and shall have the right to connect with the city of Charleston by either ferry or bridge: *Provided*, That should a bridge be erected, it shall be constructed with draws having two openings of at least seventy feet each, and may be built to accommodate ordinary travel by foot, vehicle or horse, for which the company shall be entitled to charge rates of toll not exceeding the maximum of similar bridges in this State.

Purpose of
corporation.

SEC. 3. That the capital stock of said company shall be five hundred thousand dollars, in shares of twenty-five dollars each, with the privilege of increasing the same to such an amount as may be necessary to construct, equip and maintain said railroad and operate the business of the company, in accordance with the provisions of its charter, not exceeding, however, one million dollars.

Capital stock.

SEC. 4. That the Commissioners hereafter named shall, as soon as they may deem expedient, open subscription books at such time and under such rules as they may prescribe.

Commission-
ers to take sub-
scriptions to.

SEC. 5. That subscription to the capital stock may be made in money, lands, bonds, timber, railroad iron, mills, machinery, mill sites, material or labor, as the company may stipulate and agree upon.

How payable.

A. D. 1876.

Special powers.

SEC. 6. That the said company is hereby authorized and empowered to mortgage any or all of its property and franchises, and to issue bonds and preferred stock to any amount, and on such terms and conditions, for such uses and purposes of said company, as the President and Directors thereof may deem expedient for the best interests of the company: *Provided*, That such mortgages shall not be created for more than two thousand dollars (\$2,000) per mile of single track, if laid with wooden rails, nor more than ten thousand dollars (\$10,000) per mile, if laid with iron rails; said rails to be not less than thirty pounds per yard.

Election of officers.

SEC. 7. That whenever the sum of twenty-five thousand dollars of the stock of said company has been subscribed, and one per cent. of the same paid in, the books shall be turned over to R. T. Morrison, A. Wilkins and J. W. Venning, and an election held for a President and six Directors, thirty days' notice thereof having been given in one of the newspapers of the city of Charleston, and by posters placed along the Georgetown road; at such election the votes to count as follows: One vote for each share of the stock; and the officers so elected shall hold their offices until the annual election in the year 1877; and at all meetings not less than a majority of the stock shall constitute a quorum for the transaction of business.

May consolidate with other companies.

SEC. 8. That the said company may, at any time during the existence of this charter, effect a consolidation with any other railroad company, forming a continuous line with its own, according to the provisions of Section 6 of Chapter LXV of the General Statutes.

To be subject to provisions of certain Act.

SEC. 9. That the said railroad company shall be subject to the provisions of an Act of the General Assembly of South Carolina, passed September 22, 1868, entitled "An Act to declare the manner by which lands, or right of way over the lands, of persons or corporations may be taken for the construction or use of railways and other internal improvements."

SEC. 10. That said railroad shall be commenced within three years and be completed within seven years.

SEC. 11. That nothing herein contained shall be so construed as to exempt said corporation from taxation.

SEC. 12. That this Act shall go into effect on and after its passage, and all Acts in any way conflicting with this Act be, and the same are hereby, repealed.

Approved March 25, 1876.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO RAISE SUPPLIES FOR THE FISCAL YEAR COMMENCING NOVEMBER 1, 1875."

A. D. 1876.
No. 193.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 7 of an Act entitled "An Act to raise supplies for the fiscal year commencing November 1, 1875," approved 22d December, 1875, be, and the same is hereby, amended so that, instead of one-fourth of one mill, one-half of one mill levied for County purposes shall be set apart for the payment of the salaries of Trial Justices and Constables of the city of Charleston.

Salary of
Trial Justices
in Charleston.

Approved March 25, 1876.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO REGULATE THE APPOINTMENT AND SALARY OF TRIAL JUSTICES IN AND FOR THE COUNTY OF BARNWELL."

No. 194.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 1 of an Act entitled "An Act to regulate the appointment and salary of Trial Justices in and for the County of Barnwell" be, and the same is hereby, amended by striking out, on the fourth line of said Section, the word "five," and inserting in lieu thereof the word "six."

Number in-
creased.

SEC. 2. That Section 2 of said Act be amended to read as follows, to wit: "That the Trial Justices so appointed shall be commissioned by the Governor in the following manner, to wit: One for Blackville and Williston, one for Bamberg and Midway, one for Graham's Turnout, one for the village of Barnwell, one for Appleton, one for the township of Four Miles and Bennett's Springs, and shall keep their offices at the respective places for which they are commissioned, which shall be opened from day to day for the transaction of business: *Provided*, That the Trial Justice for Appleton shall be allowed to transact the proper business of his office at Alendale also."

Location of.

SEC. 3. That the proviso of Section 3 of the said Act be amended to read as follows, to wit: "*Provided*, That the Trial Justice commissioned for Bamberg and Midway shall receive an annual salary of six hundred dollars; and that the Trial Justice commissioned for Blackville and Williston shall receive an annual salary of four

Salary al-
lowed each.

A. D. 1876.

Special powers.

SEC. 6. That the said corporation be authorized to mortgage any or all of its lands and premises, and to issue bonds and preferences, and conditions, for the use of the President and Directors, and for the interests of the corporation, and to be created for a single track, in the sum of one hundred dollars (\$100,000), not less than one hundred dollars.

SEC. 7.

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of the

Election of officers.

P

approved March 25, 1876.

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hundred dollar
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shall be, and

to serve the process

at pleasure; and the Constable

shall have a salary of two hundred dollars per

the times and in the manner provided by Section

195. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO ALTER AND AMEND THE CODE OF PROCEDURE, BEING TITLE V, PART III, OF THE GENERAL STATUTES."

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to alter and amend the Code of Procedure, being Title V, Part III, of the General Statutes," approved March 8, 1875, be, and the same is hereby, amended by striking out Section 10 and inserting the following, to be known as Section 10: "Strike out Section one hundred and fifty-eight (158) and insert the following, to be known as Section 158: 'Where the person on whom the service of the summons is to be made cannot, after due diligence, be found within the State, and that fact appears by affidavit to the satisfaction of the Court, or a Judge thereof, the Clerk of the Court of Common Pleas and General Sessions, or the Probate Judge of the County where the trial is to be had, and it in like manner appears that a cause of action exists against the defendant in respect to whom the service is to be made, or that he is a proper party to an action relating to real property in this State, such Court, Judge, Clerk or Judge of Probate may grant an order that the service be made by publication of the summons in either of the following cases: 1.

Service of summons on non-resident defendants to be made by publication.

Cases wherein.

Where the defendant is a foreign corporation, has property within the State, or the cause of action arose therein. 2. Where the defendant, being a resident of this State, has departed therefrom, with intent to defraud his creditors, or to avoid the service of a sum-

keeps himself
is not a resi-
has jurisd
the activ
ha

divorce

the publication

ated by the officer before

most likely to give notice to the per-
length of time as may be deemed reas-

week for six weeks. In case of publica-

Clerk or Judge of Probate shall also direct a

to be forthwith deposited in the postoffice, directed

be served at his place of residence, unless it appear th

dence is neither known to the party making the applica-

can with reasonable diligence be ascertained by him. Where

lication is ordered, personal service of the summons out of th

State is equivalent to publication and deposit in the postoffice. In

case of minors in like cases, a similar order shall be made, and like

proceedings be had as in the case of adults. In case of persons

imprisoned in the penitentiary or in the jail of any County in this

State, and in case of lunatics confined in the Asylum, or in any

other place of confinement, personal service of the summons and

complaint or other process affecting the rights of such persons shall

be made by the Sheriff of the County in which such persons shall be

imprisoned or confined, with the like proof of service as required in

case of minors; and thereupon the Judge of the Court or Trial

Justice before whom the action is to be tried shall appoint some

attorney or other competent person to act as guardian *ad litem*

for any person so imprisoned or confined, who shall receive out

of the property of such persons a reasonable compensation for

services rendered in their behalf; and the case shall proceed as in

other cases of persons not under disabilities: *Provided*, That in

cases of persons imprisoned or confined as herein stated outside

of this State service by publication shall be deemed sufficient. The

defendant against whom publication is ordered, or his representa-

tives, on publication and sufficient cause shown at any time before

judgment, must be allowed to defend the action; and except in

an action for divorce, the defendant against whom publication is

ordered, or his representatives, may, in like manner, upon good

cause shown, be allowed to defend after judgment, or at any time

within one year after notice thereof, and within seven years after

five hundred dollars; the Clerk

l, one thousand dollars; the

teen hundred and seventy-

Superintendent of Edu-

ey General, twenty-one

General, nine hundred

Court, four thousand

Court, three thousand

decisions of the

llars; the Clerk

and seventy-

rooms of the

edges, three

hundred

Counties,

State

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Superintend-

t Lunatic

Asylum.

Health Offi-

city.

Appointment

of guardian ad

litem.

Defendant to

be allowed to

defend judg-

ment after ren-

dition.

A. D. 1876.

Supreme
Court.

Circuit
Judges.

Keeper of
State House
and Watch-
men.

Superintend-
ent Peniten-
tiary.

Superintend-
t Lunatic
Asylum.

Health Offi-

city.

Appointment
of guardian ad
litem.

Defendant to
be allowed to
defend judg-
ment after ren-
dition.

A. D. 1876.

In cases of
service by pub-
lication, com-
plaint must be
first filed.

its rendition, on such terms as may be just; and if the defense be successful, and the judgment, or any part thereof, has been collected or otherwise enforced, such restitution may thereupon be compelled as the Court directs; but the title to property sold under such judgment to a purchaser in good faith shall not be thereby affected.

And in all cases where publication is made, the complaint must be first filed, and the summons, as published, must state the time and place of such filing. In actions for the foreclosure of mortgages on real estate already instituted, or hereafter to be instituted, if any party or parties having any interest in or lien upon such mortgaged premises are unknown to the plaintiff, and the residence of such party or parties cannot with reasonable diligence be ascertained by him, and such fact shall be made to appear by affidavit to the Court, a Judge, Clerk of the Court or Judge of Probate where the trial is to be had, such Court, Judge, Clerk or Judge of Probate shall grant an order that the summons be served on such unknown party or parties by publishing the same, for six weeks, once a week, in a newspaper printed in the County where the premises are situated, which publication shall be equivalent to a personal service on such unknown party or parties."

Approved March 25, 1876.

No. 196. AN ACT TO FIX THE SALARIES OF CERTAIN PUBLIC OFFICERS.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the public officers hereinafter named shall receive the annual salaries hereinafter mentioned, respectively, to wit: The Governor, three thousand five hundred dollars; the Governor's Private Secretary, one thousand six hundred dollars; the Governor's Messenger, five hundred dollars; the Lieutenant Governor, twenty-five hundred dollars; the Secretary of State, two thousand one hundred dollars; the Chief Clerk of the Secretary of State, twelve hundred and seventy-five dollars; the Comptroller General, twenty-one hundred dollars; the Clerk of the Comptroller General, twelve hundred and seventy-five dollars; the Bookkeeper of the Comptroller General, twelve hundred and seventy-five dollars; for an additional clerk of the Comptroller General, nine hundred dollars; the State Treasurer, eighteen hundred and seventy-five dollars; the Chief Clerk of the State Treasurer, fourteen hundred and seventy-six dollars; the Bookkeeper of the State Treasurer, twelve hundred and seventy-five dollars; the

Salaries Ex-
ecutive De-
partments.

Adjutant and Inspector General, twelve hundred dollars ; the Clerk of the Adjutant and Inspector General, one thousand dollars ; the State Superintendent of Education, eighteen hundred and seventy-five dollars ; the Chief Clerk of the State Superintendent of Education, nine hundred dollars ; the Attorney General, twenty-one hundred dollars ; the Clerk of the Attorney General, nine hundred dollars ; the Chief Justice of the Supreme Court, four thousand dollars ; the Associate Justices of the Supreme Court, three thousand five hundred dollars each ; the Reporter of the decisions of the Supreme Court, twelve hundred and seventy-five dollars ; the Clerk and Librarian of the Supreme Court, twelve hundred and seventy-five dollars ; the Attendant on the library and rooms of the Supreme Court, three hundred dollars ; the Circuit Judges, three thousand five hundred dollars each ; the Solicitors, fifteen hundred dollars each, in lieu of all charges against the State and Counties, and of all fees received from defendants ; the Keeper of the State House and State Librarian, nine hundred dollars ; the Watchmen of the State House and grounds, six hundred dollars each ; the Superintendent of the State Penitentiary, sixteen hundred dollars ; the Physician of the State Penitentiary, five hundred dollars ; the Superintendent of the State Lunatic Asylum, two thousand five hundred dollars ; the Health Officer of Charleston, fifteen hundred dollars ; the Health Officers of Georgetown, Hilton Head and St. Helena Sound, one thousand dollars each ; the Keeper of the Lazaretto, four hundred dollars ; Professors of the University of South Carolina, sixteen hundred dollars each ; the Librarian of the University of South Carolina, twelve hundred and seventy-five dollars.

A. D. 1876.

Supreme Court.

Circuit Judges.

Keeper of State House and Watchmen.

Superintendent Penitentiary.

Superintendent Lunatic Asylum.

Health Officers.

University.

SEC. 2. That the County Treasurers of each County shall receive commissions upon all taxes collected in their respective Counties, as follows : Five per cent. upon the first twenty thousand dollars, three per cent. upon the next ten thousand dollars, two per cent. upon the next ten thousand dollars, and one per cent. upon all amounts collected over forty thousand dollars : *Provided*, The same shall not exceed two thousand or be less than one thousand dollars per annum, except the County of Charleston, where the commission shall not exceed three thousand five hundred dollars per annum. For clerical services in the office of the County Treasurer of Charleston, fifteen hundred dollars : *Provided, further*, That nothing herein contained shall apply to fees and costs allowed County Treasurers for making distress and sale of real or personal property.

County Treasurers.

Clerk to Treasurer of Charleston.

SEC. 3. That the County Auditors of the several Counties shall receive the annual salaries hereinafter mentioned, respectively, to wit : The County Auditor of Charleston, sixteen hundred dollars ;

County Auditors.

A. D. 1876.

To file re-
ports before
salary can be
drawn.

Expenses of
making assess-
ment of prop-
erty.

Manner of
payment.

School Com-
missioners.

the Clerk of the County Auditor of Charleston, one thousand dollars; the County Auditors of Abbeville and Richland, twelve hundred and seventy-five dollars each; the County Auditors of Aiken, Anderson, Barnwell, Beaufort, Chester, Colleton, Darlington, Edgefield, Fairfield, Greenville, Laurens, Marion, Newberry, Orangeburg, Spartanburg, Sumter and York, eleven hundred dollars each; the County Auditors of Chesterfield, Clarendon, Georgetown, Horry, Kershaw, Lancaster, Lexington, Marlboro, Oconee, Pickens, Union and Williamsburg, one thousand dollars each: *Provided*, That the Comptroller General shall not issue to any County Auditor any warrant for salary, until the said Auditor shall file in the office of the Comptroller General all abstracts and reports due from or by the said Auditor. And in addition to the salaries of the Auditors as hereinbefore provided the County Auditors shall receive, to defray the expenses of assessment of property, such sums as may be necessary, but not to exceed the following, to wit: the Auditor of Charleston County, sixteen hundred dollars; the Auditors of Abbeville and Richland, nine hundred dollars each; the County Auditors of Aiken, Anderson, Barnwell, Beaufort, Chester, Darlington, Edgefield, Fairfield, Greenville, Laurens, Newberry, Orangeburg, Spartanburg, Sumter and York, seven hundred and fifty dollars each; the County Auditors of Clarendon, Colleton, Georgetown, Kershaw, Lancaster, Lexington, Marion, Marlboro, Union and Williamsburg, six hundred dollars each; the County Auditor of Chesterfield, five hundred dollars; the County Auditors of Oconee, Pickens and Horry, six hundred dollars each; and the County Commissioners of the several Counties, as aforesaid, shall, upon the application of the County Auditors, draw their checks on the County Treasurers for the several amounts to which the Auditors may be entitled under the provisions of this Section, and the County Treasurers shall pay the said checks from the first collection of County funds of the fiscal year in which the work shall be performed. But no such check or order shall be paid by the County Treasurer until the Auditor shall have filed with the County Commissioners an itemized statement of the services rendered by his assistants, the number of days each of said assistants were employed, and the compensation they were severally to receive, which said statement shall be examined and approved by the said Board of County Commissioners: *Provided*, That no member of the Board of County Commissioners shall act as Assistant Assessor.

SEC. 4. That the County School Commissioners of the several Counties in South Carolina, in lieu of an annual salary, shall receive annually a commission of twenty-five cents per capita upon the whole number of children attending the public schools in their

respective Counties: *Provided*, That in no County shall the said commissions exceed one thousand dollars per annum, except the County of Charleston, in which the County School Commissioner shall receive an annual salary of twelve hundred dollars.

A. D. 1876.

SEC. 5. All salaries provided for in Section 1 of this Act shall be payable monthly, and be paid upon the warrants of the Comptroller General upon the State Treasurer.

Salaries to be paid monthly.

SEC. 6. That all Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

SEC. 7. That this Act shall take effect on and after November 1, 1876.

Approved March 25, 1876.

AN ACT TO REDUCE THE NUMBER OF TRIAL JUSTICES IN ANDERSON COUNTY, AND TO REGULATE THEIR COURTS. No. 197.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That within sixty days after the next general election the Governor shall appoint, by and with the consent of the Senate, nine Trial Justices in and for the County of Anderson, as follows: For the town of Anderson, one; for the townships of Centreville and Hopewell, one; for Varennes Hall and Dark Corner, one; for Honea Path and Martin, one; for Broadway and Belton, one; for Williamston and Brushy Creek, one; for Pendleton and Garvin, one; for the Fork, one; for Rock Mills and Savannah, one; the said Trial Justices to serve for the term of two years, or at the pleasure of the Governor, and to reside in and to hold their offices in the several districts to which they shall be appointed.

Number to be appointed.

Distribution of.

SEC. 2. That hereafter no fees or costs shall be retained by any such Trial Justice for any trial or process whatever, except in civil cases; and no account or claim shall be paid to such Trial Justice by the County Treasurer upon any such demand; and, if either of the Trial Justices appointed by virtue of this Act shall neglect to attend to the duties of his office, or shall neglect to pay over to the County Treasurer the fees, costs and fines collected by him, he shall be liable to indictment in the Court of Sessions, and, upon conviction, to such punishment as is provided by law to a case of larceny in the same amount, and shall be removed from office; and the said Trial Justices shall make a report of their proceedings in criminal cases to the Clerk of the Court of the County of Anderson on the

Fees.

Neglect of duty.

Reports.

A. D. 1876.

first Monday in each calendar month for the month preceding, which report shall state specifically the names of the parties in action, the crime charged, the judgment rendered, and the penalty, fees, costs and fines imposed, and whether the same are collected or *nulla bona*, and in what amounts, and all such amounts shall, upon the same day, be due and paid to the County Treasurer, and a failure to make this report shall be a misdemeanor, punishable by the Circuit Court by imprisonment in the County jail for not more than thirty days, or a fine not exceeding fifty dollars, or both, in the discretion of the Court.

Salary.

SEC. 3. The sum of fifty dollars per annum shall be paid to each Trial Justice, as herein provided, out of the County funds, except the Trial Justice for York Township, who shall receive twenty-five dollars; the Trial Justice for Varennes Hall and Dark Corner Township, who shall receive seventy-five dollars. The Treasurer shall pay the same in quarterly installments, on the first Mondays of January, April, July and October to them or their order, certified by the County Commissioners.

Blank forms.

SEC. 4. All blanks required in the prosecution of criminal cases shall be furnished by the County Commissioners, upon the requisition of the several Trial Justices, as they may be required in the performance of the duties of their office.

Constables.

SEC. 5. It shall be the duty of the Trial Justices to appoint such proper and discreet person or persons as he may select to serve processes or to make arrests, and such process or warrant shall, when assigned to such person for service, invest the said person, for the purposes therein set forth, with all the powers belonging to the office of Constable; and he shall, upon receiving any such paper for service, take and subscribe thereon to the oath prescribed by law for the qualification of Constables; and every such person shall receive for each paper served, or for each arrest made, the sum of fifty cents, except summonses for witnesses and jurors, for which he shall receive the sum of twenty-five cents, the same to be paid by the County Treasurer upon the warrant of the County Commissioners; the account to be certified to by the Trial Justice who employs said Constable.

Witnesses.

SEC. 6. Witnesses and jurors shall hereafter receive no pay from the County for service upon criminal cases before any Trial Justice, and all fees and costs arising from such compensation are hereby abolished within the County of Anderson.

Constables' fees.

SEC. 7. Every person acting as Constable for the service of any criminal process, as hereinbefore provided, shall be entitled to receive from the County, in addition to the fees accruing from service, the sum of five cents for every mile of necessary travel required in

making such service, but no mileage shall be allowed after service of process for any distance traveled in returning therefrom, and all such mileage shall be reckoned and certified by the Justice issuing the process as from the office of the same to the place of such service by the nearest usual route of travel.

A. D. 1876.

SEC. 8. All Acts and parts of Acts in conflict with the provisions herein contained, so far as they relate to the County of Anderson, are hereby repealed; and this Act shall take effect sixty days from the general election of the year one thousand eight hundred and seventy-six.

Approved March 25, 1876.

AN ACT TO AMEND AN ACT TO DIVIDE THE STATE INTO FIVE No. 198.
CONGRESSIONAL DISTRICTS.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the State of South Carolina shall be, and is hereby, divided into five Congressional Districts, to-wit: The First Congressional District to be composed of the Counties of Chesterfield, Marlboro, Darlington, Sumter, Georgetown, Williamsburg, Marion and Horry. The Second Congressional District to be composed of the Counties of Charleston, Orangeburg and Clarendon. The Third Congressional District to be composed of the Counties of Oconee, Pickens, Anderson, Abbeville, Newberry, Richland, Lexington and Laurens. The Fourth Congressional District to be composed of the Counties of Union, Spartanburg, Greenville, York, Chester, Lancaster, Kershaw, Fairfield. The Fifth Congressional District to be composed of the Counties of Colleton, Beaufort, Barnwell, Edgefield and Aiken.

First District.

Second District.

Third District.

Fourth District.

Fifth District.

SEC. 2. That until the next apportionment shall be made by Congress, each of the said Congressional Districts shall be entitled to elect one member to represent this State in the Congress of the United States. After such new apportionment, the General Assembly shall divide the State into as many Congressional Districts as it shall be entitled to have members of Congress. And all Acts and parts of Acts inconsistent with the provisions of this Act are hereby repealed.

Representation allowed.

Approved March 25, 1876.

A. D. 1876.
No. 199.

AN ACT TO SETTLE DEFINITELY THE PERIODS AT WHICH RETURNS SHALL BE MADE OF PHOSPHATE ROCKS AND PHOSPHATIC DEPOSITS DUG AND MINED IN THE BEDS OF THE NAVIGABLE STREAMS AND WATERS OF THE STATE OF SOUTH CAROLINA AND THE ROYALTY SHALL BE PAID THEREON, AND ALSO TO FIX THE TERMS ON WHICH THIS ACT MAY BE ACCEPTED BY THE PARTIES NAMED THEREIN.

Preamble.

Whereas differences have arisen between the Coosaw Mining Company and the Comptroller General as to the times and manner in which the said company shall make their returns of the number of tons of phosphate rocks and phosphatic deposits dug, mined and removed by them from the beds of the navigable streams and waters of the State, and also as to the times when the royalty thereon shall be paid; therefore, for remedy thereof,

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the said Coosaw Mining Company, and all other companies and persons engaged in digging, mining and removing phosphate rocks and phosphatic deposits from the beds of the navigable streams and waters of the State shall be, and they are hereby, required, from and after the passage of this Act, to make to the Comptroller General true and faithful returns of the number of tons of phosphate rocks and phosphatic deposits they have so dug, mined and removed and shipped, or otherwise sent to market, at the end of every month; and shall punctually pay to the State Treasurer the royalty already provided by law to be paid thereon at the end of every quarter or three months, the first quarter to commence to run on the first day of March in the present year.

SEC. 2. That the said Coosaw Mining Company, and all other companies and persons mentioned in the preceding Section, shall, within ten days from the passage of this Act, enter into new bonds, in the penal sums and in the manner and form already provided by law, but conforming, in their conditions, to the terms set forth in the said preceding Section, and also pay to the State Treasurer the royalty accrued up to the said first day of March of the present year. And whereas it is desirable that the said Coosaw Mining Company, and all other companies and persons engaged in digging, mining and removing phosphate rock and phosphatic deposits as aforesaid, shall accept the terms of this Act, in order to make it binding on them respectively; and whereas the said Coosaw Mining Company have already occupied so much of the Coosaw River as lies opposite to and south of Chisolm's Island, whereon their works are located, and to the marshes thereof, and have expended large sums of money in estab-

To make re-
turns.

Royalty to be
paid.

Terms of this
Act to be ac-
cepted by com-
panies.

lishing themselves thereon with sufficient mining plant for mining and preparing for market the phosphate rocks and phosphatic deposits of that part of the said Coosaw River; therefore, in consideration thereof,

A. D. 1876.

SEC. 3. That the said Coosaw Mining Company, on accepting the terms of this Act within ten days from the passage thereof, shall thenceforth have the exclusive right to occupy and dig, mine and remove phosphate rock and phosphatic deposits from all that part of the said Coosaw River above mentioned so long as and no longer than they shall make true and faithful returns of the number of tons thereof they shall so dig, mine and remove and ship or otherwise send to market, and punctually pay the royalty thereon, as provided in the first Section of this Act.

Exclusive
right to dig re-
served in cer-
tain companies.

SEC. 4. That all other companies and persons engaged in digging, mining and removing phosphate rocks and phosphatic deposits as aforesaid under the gift and grant of the State of South Carolina, or by authority thereof, who shall accept the terms of this Act within ten days from the passage thereof, shall thenceforth have the same exclusive right where they have respectively occupied and established themselves for mining purposes, and on the same limitations as are prescribed in the preceding Section of this Act.

SEC. 5. That all Acts or parts of Acts inconsistent with this Act be, and they are hereby, for the purposes of this Act, repealed.

Approved March 28, 1876.

AN ACT TO CONFIRM AND RATIFY SECTION 8 OF CHAPTER LV No. 200.
OF THE REVISED ORDINANCE OF THE CITY OF CHARLESTON,
RELATING TO NAVAL STORES.

Whereas the City Council of Charleston, on the twentieth day of July, in the year of our Lord one thousand eight hundred and seventy-five, did, by ordinance, duly ratified on the said day, declare all ordinances contained in the compilation of the ordinances of the city of Charleston, revised and codified by authority of the City Council of Charleston, and contained in the pages of the said compilation, to be the ordinances of the City Council of Charleston; and whereas Section 8 of Chapter LV of the said Revised Ordinances is in terms as follows: "It shall not be lawful for any person or persons except those duly elected or appointed by City Council to perform any of the duties of Inspectors of naval stores; and in violation of the same, he or they shall each, and for every violation of this ordinance, pay a fine of not less than twenty-five dollars, or more than fifty dollars per day, for every day so employed, and, in addition thereto, twenty-five cents for each and every package or barrel in-

Preamble.

A. D. 1876.

spected or weighed ; and if the offender be a city officer, upon conviction thereof he or they shall forfeit their office, in addition to the penalties herein prescribed ; and the same fines shall be imposed on any person or firm buying, selling or shipping on commission, or otherwise, naval stores from or within the city of Charleston who, in violation of this ordinance, employs any other person or persons not qualified under this ordinance to perform the duties of Inspectors of naval stores ; half of all fines imposed herein to go to the informer ;" and whereas doubts are entertained of the power of the City Council to impose the fines and inflict the penalties prescribed by the said Section without being first thereunto authorized by the General Assembly ; therefore,

Confirmation
of ordinance.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all and singular the provisions of the aforesaid Section of the aforesaid Revised Ordinances of the City Council of Charleston be, and the same are hereby, authorized and confirmed.

OFFICE OF SECRETARY OF STATE,

COLUMBIA, S. C., March 29, 1876.

The foregoing Act having been presented to the Governor for his approval, and not having been approved or returned by him to that branch of the General Assembly in which it originated within the time prescribed by the Constitution, has become a law without his approval.

(Signed)

H. E. HAYNE,
Secretary of State.

No. 201. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO AMEND AN ACT TO PROVIDE FOR THE REDEMPTION OF FORFEITED LAND UPON CERTAIN CONDITIONS THEREIN MENTIONED."

When may be
redeemed and
on what terms.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to amend an Act to provide for the redemption of forfeited land upon certain conditions therein mentioned" be, and the same is hereby, amended by striking out, in Section 1, all after the word "follows" and inserting instead the following : "That in all cases where lands shall have been forfeited to the State for the non-payment of taxes, and the title thereto be vested in the State

prior to the 15th day of June, 1876, the owners of said lands, or, if they be dead, their legal representatives or heirs-at-law, or any judgment creditor, mortgagee or other person interested in said lands, shall have the right, and they are hereby authorized, to redeem the same on or before the 1st day of November, 1876, upon the payment of all taxes, costs and penalties due and owing upon the same; and the County Auditors of the several Counties where the said lands are situated, upon the payment of such taxes, costs and penalties within the time herein limited, shall report the said payment to the Comptroller General, and the property so redeemed shall thereupon be dropped from the forfeited land record and restored to the tax lists of the County where the land is situated."

A. D. 1876.

SEC. 2. That Section two (2) of said Act be stricken out, and the following be inserted, to be known as Section 2: "That it shall be the duty of the County Auditor of each County, on or after the 2d day of November, 1876, to give public notice once a week for three weeks in one newspaper of the County in which the lands are situated, or, if there be no newspaper in the County, in one newspaper which has the largest circulation in said County at the time of such notice, that the lands forfeited to the State for non-payment of taxes, and not redeemed as provided for in Section 1 of this Act, will be offered for sale at public auction on the 30th day of November, 1876. And it shall be the duty of the County Treasurer of each County where such sale is made to attend and conduct such sale, and all expenses incurred by the advertisement of the lands sold and making title deeds thereto shall be paid by the party purchasing the same: *Provided*, That such lands shall not be sold at a price less than the aggregate of taxes, costs, penalties, expenses of sale and making out title deeds to such land."

Auditor to give notice of time of sale.

County Treasurer to attend sale.

SEC. 3. The Auditor's charges for publication of forfeited land shall not exceed two dollars for each tract or parcel offered for sale; and where the real estate offered for sale shall not be sold for want of bidders, and the title thereto still remains in the State, the State Treasurer shall pay, upon warrants from the Comptroller General, the costs of such publication out of the taxes of the fiscal year in which the real estate was offered for sale.

Auditor's charges for publication.

SEC. 4. That the County Treasurers of the several Counties in the State be, and they are hereby, authorized and required to receive bills of the Bank of the State which shall have been proved, stamped or found genuine, in payment of all past due taxes prior to 1875, and for the redemption and purchase of forfeited lands; and the said bills, when tendered as herein provided, shall be marked or stamped with the word "canceled," and the same be

Taxes may be paid in bills of the Bank of the State.

A. D. 1876.

attested by the signature of the County Treasurer and the person tendering the same.

Additional
compensation
to Treasurers.

SEC. 5. That the County Treasurers of the several Counties be, and they are hereby, allowed, in addition to their compensation and fees as now provided by law for the collection of taxes within the fiscal year ending October 31, 1876, five per cent. on all collections made for and on account of all past due taxes, and for the redemption of forfeited lands: *Provided*, The said compensation be paid them in bills of the Bank of the State.

SEC. 6. That all Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved April 13, 1876.

No. 202. AN ACT TO ESTABLISH THE OFFICE OF PUBLIC WEAIGHER IN THE TOWN OF ORANGEBURG, AND TO PROVIDE FOR THE DUTIES OF THE SAME.

Public weigh-
er.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Town Council of the town of Orangeburg be, and they are hereby, authorized and required to establish the office of Public Weigher for said town and elect some suitable person to perform the duties thereof.

Duties.

SEC. 2. That the said Public Weigher so elected, before entering on the duties of his office, shall be sworn, before some person having authority to administer an oath, to keep his scales correctly balanced, to make true weights, and to render a correct account to the person or persons having weighing done.

Register.

SEC. 3. That the said Public Weigher shall keep a correct register of all weighing done by him, giving the amount of each weight, date of weighing, and the name of the person or persons for whom such weighing was done, and to give, upon demand, to any person or persons having weighing done, a certificate showing the weight, date of weighing, and for whom weighed.

Penalty for
violation
of this Act.

SEC. 4. That should the said Public Weigher violate the provisions of Section 3 of this Act, upon complaint made before any Trial Justice, he shall, upon conviction thereof, be fined in a sum not more than twenty dollars and not less than five dollars for each offense, and shall be liable to the person or persons injured for the full amount of damages by them sustained.

Compensation.

SEC. 5. That the said Public Weigher shall receive as compensation for his services such fixed rates as the said Town Council of Orangeburg shall order.

Approved April 15, 1876.

AN ACT TO RE-CHARTER BROWN'S FERRY, OVER THE SAVANNAH RIVER, IN ANDERSON COUNTY.

A. D. 1876.

No. 203.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the ferry over the Savannah River, known as Brown's Ferry, on the highway leading from Anderson Court House, South Carolina, to Athens, Georgia, situated about four miles below the confluence of Seneca and Tugaloo Rivers, the term of which establishment has expired, be, and the same is hereby, re-established and vested in Hortence C. Fowler, her heirs and assigns, for the period of twenty-one (21) years; and that the same rates of toll, and no more, shall be taken thereat as heretofore allowed by law: *Provided, however*, That nothing herein contained shall prevent the General Assembly from granting another charter within three miles from Brown's Ferry.

Brown's Ferry re-established.

In whom vested.

Approved April 15, 1876.

JOINT RESOLUTIONS.

JOINT RESOLUTION AUTHORIZING AND DIRECTING THE STATE TREASURER TO BORROW A SUFFICIENT AMOUNT OF MONEY FOR THE PAYMENT OF THE MEMBERS AND EMPLOYEES OF THE GENERAL ASSEMBLY.

No. 1.

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the State Treasurer be, and he is hereby, authorized to negotiate for the loan of a sum not exceeding seventy thousand dollars, at a rate not to exceed one and one-half per cent. per month, to pay the members and employees and contingent expenses of the General Assembly; said sum, together with the interest, to be repaid out of the taxes levied for the legislative expenses of the present session of the General Assembly, as is provided for in the Act entitled "An Act to raise supplies for the fiscal year commencing November 1, 1875."

Amount authorized to be borrowed.

Approved December 22, 1875.

A. D. 1876.

No. 2.

JOINT RESOLUTION AUTHORIZING THE STATE TREASURER TO RE-ISSUE TO RICHARD L. NORTH, M. D., EXECUTOR OF MRS. ELIZA E. NORTH, DECEASED, A CERTAIN CERTIFICATE OF STATE STOCK.

Preamble.

Whereas it appears by the books of the State Treasurer that there has been duly issued a certain certificate of State stock to the amount of two thousand dollars (\$2,000) to Eliza E. North, deceased; and whereas said certificate has been lost or destroyed:

Duplicate
stock to be is-
sued.

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the State Treasurer be, and he is hereby, authorized to re-issue to Richard L. North, executor of the said Eliza E. North, deceased, a certificate of stock of the same amount, payable at the same time, and bearing the same rate of interest as the certificate that has been lost, as aforesaid: *Provided*, The said Richard L. North shall, upon the re-issuing of said certificate, as aforesaid, deposit with the State Treasurer a bond, legally executed, in the penal sum of four thousand dollars, to indemnify the State against loss by reason thereof.

Approved December 24, 1875.

No. 3. JOINT RESOLUTION TO AUTHORIZE AND REQUIRE THE COUNTY COMMISSIONERS OF PICKENS COUNTY TO LEVY AND COLLECT A SPECIAL TAX TO PAY THE PAST DUE INDEBTEDNESS OF SAID COUNTY.

Levy limited.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Pickens County be, and they are hereby, authorized and required to levy and collect, at the time of the collection of the regular tax, a special tax not to exceed three mills on the dollar of the taxable property of the said County, for the fiscal year commencing November 1, 1875, and annually thereafter, in addition to all other taxes required by law, for the payment of the past indebtedness of the County, until the same shall be fully paid.

To be applied
in accordance
with certain
Act.

SEC. 2. That the proceeds of the tax hereby levied shall be applied exclusively to the payment of the past indebtedness of the County, in accordance with the provisions of an Act entitled "An Act directing the manner in which the County Treasurer of Pickens County shall pay the past indebtedness of said County," approved March 5th, 1875.

Approved December 24, 1875.

JOINT RESOLUTION AUTHORIZING THE COUNTY COMMISSIONERS OF SUMTER COUNTY TO LEVY A SPECIAL TAX.

A. D. 1876.

No. 4.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Sumter County be, and they are hereby, authorized and directed to levy and collect a special tax of two mills on the dollar on all the taxable property of said County for the year ending October 31, 1875, and to continue the collection of the same, each succeeding year, until the sum of fifteen thousand (15,000) dollars shall have been collected, said sum to be used exclusively for the purpose of paying the past indebtedness of the said Sumter County, accruing prior to November 1, 1875.

Annual levy
of two mills.

SEC. 2. That all persons holding claims against said County which have been audited and allowed by the Board of County Commissioners, and all persons holding jurors', witnesses' and Constables' certificates, be, and they are hereby, required to file a list of such claims, with the amount and date thereof, in the office of the Clerk of the Court of Sumter County; and the Clerk of the Court of said County is hereby required to notify the holders of such claims by advertising in the local papers for two months from the date of the passage of this Joint Resolution.

Holders of
claims to regis-
ter same.

SEC. 3. That the Clerk of the Court shall furnish the County Commissioners and County Treasurer, on the first of each month, with a copy of the list of claims as registered; and it shall be the duty of the County Commissioners, whenever the County Treasurer reports one thousand dollars or more on hand as collected under this levy, or from any other source, applicable to the payment of past indebtedness, to draw checks to pay said claims, jurors', witnesses' and Constables' certificates in the order of their priority, the oldest outstanding claims against the County to be paid first: *Provided, however,* That the County Commissioners are hereby strictly prohibited from paying any past due claim that has not been so audited, allowed and registered in accordance with the provisions of this Joint Resolution.

Claims to be
paid in the or-
der of their pri-
ority.

SEC. 4. That any officer authorized and empowered to carry out the provisions of this Joint Resolution who shall fail in any respect in the performance of such duty, shall be deemed to have committed a malfeasance in office, and, upon conviction, shall forfeit his office, and shall be subject to a fine of not less than one hundred nor more than one thousand dollars, at the discretion of the Court.

A. D. 1876.

SEC. 5. That all Acts or parts of Acts, Joint Resolutions or parts of Joint Resolutions, as far as they conflict with the provisions of this Joint Resolution, be, and the same are hereby, repealed.

Approved December 24, 1875.

No. 5. JOINT RESOLUTION AUTHORIZING AND DIRECTING THE COUNTY COMMISSIONERS OF CLARENDON COUNTY TO LEVY AND COLLECT A SPECIAL TAX.

Two mills to be levied.

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Clarendon County be, and they are hereby, authorized and directed to levy and collect a special tax of two mills upon the dollar of all the taxable property of said County, to be devoted exclusively to the building of a court house in said County.

Approved February 7, 1876.

No. 6. JOINT RESOLUTION TO AMEND A JOINT RESOLUTION ENTITLED "A JOINT RESOLUTION TO AMEND A JOINT RESOLUTION ENTITLED 'A JOINT RESOLUTION TO LEVY AND COLLECT A SPECIAL TAX TO PAY PAST DUE INDEBTEDNESS OF SPARTANBURG COUNTY.'"

One mill to be used for construction of bridges.

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That a Joint Resolution entitled "A Joint Resolution to amend a Joint Resolution entitled 'A Joint Resolution to levy and collect a special tax to pay past due indebtedness of Spartanburg County'" be, and the same is hereby, amended, by striking out the words "one-half mill," wherever they occur in said Joint Resolution, and inserting in lieu thereof the words "one mill."

Approved February 9, 1876.

JOINT RESOLUTION AUTHORIZING THE STATE TREASURER
TO RE-ISSUE TO SOLOMON LEGARE, EXECUTOR OF THOMAS
LEGARE, IN TRUST FOR MARY FENN AND CHILDREN, A CER-
TAIN CERTIFICATE OF STATE STOCK.

A. D. 1876.

No. 7.

Whereas it appears by the books of the State Treasurer that there has been duly issued a certain certificate of State stock, to the amount of three thousand two hundred dollars, to Solomon Legare, executor of Thomas Legare, in trust for Mary Fenn and children; and whereas said certificate was destroyed at the burning of the residence of the said S. Legare, in Orangeburg C. H., during the year eighteen hundred and sixty-three; therefore,

Preamble.

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the State Treasurer be, and he is hereby, authorized to re-issue to said Solomon Legare, executor of Thomas Legare, in trust for Mary Fenn and children, a certificate of stock of the same amount, payable at the same time, and bearing the same rate of interest as that destroyed. That the said Solomon Legare, executor as aforesaid of Thomas Legare, be, and he is hereby, required to deposit with the State Treasurer a bond, legally executed, in the penal sum of six thousand four hundred dollars, to indemnify the State against loss.

Duplicate
stock to be is-
sued.

Approved February 9, 1876.

JOINT RESOLUTION TO AUTHORIZE KIT MCHUNNY TO ERECT
A GATE ON THE PUBLIC ROAD RUNNING FROM BLACK OAK TO
BONNEAU'S DEPOT, IN CHARLESTON COUNTY.

No. 8.

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Kit McHunny be, and he is hereby, authorized and empowered to erect a gate on and across the public road running from Black Oak to Bonneau's Depot, in Charleston County, at a point on the said road at or near two and a half miles from Bonneau's Depot: *Provided*, That persons be allowed to pass through the said gate at all times without the payment of toll or any other charge therefor.

Kit McHunny
to erect gate.

Approved February 12, 1876.

A. D. 1876.

No. 9.

JOINT RESOLUTION TO CHANGE THE NAME OF AUGUSTUS GLOVER TO AUGUSTUS RICHARDSON, AND TO MAKE HIM ONE OF THE LEGAL HEIRS OF HIS FATHER, HARKLESS RICHARDSON.

Augustus Glover legitimized

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the name of Augustus Glover, of Orangeburg County, be, and the same is hereby, changed to that of Augustus Richardson, and that all the rights of legitimacy are hereby conferred upon the said Augustus Richardson, and that he be considered one of the legal heirs of his father, Harkless Richardson, as if born in lawful wedlock.

Approved February 24, 1876.

No. 10. JOINT RESOLUTION TO APPORTION AMONG THE SCHOOL DISTRICTS OF GEORGETOWN COUNTY, FOR SCHOOL PURPOSES, AN UNEXPENDED BALANCE OF A CERTAIN APPROPRIATION IN THE HANDS OF THE COUNTY TREASURER OF GEORGETOWN COUNTY.

Preamble.

Whereas it appears that the sum of \$82,364 $\frac{5}{100}$ was raised, to be appropriated in accordance with the provisions of division 1 of Section 4 of an Act to make appropriation to meet the ordinary expenses of the State government for the fiscal year commencing November 1, 1874, approved March 1, 1875, to the payment of the deficiencies of school claims and salaries of County School Commissioners due prior to November 1, A. D. 1873; and whereas it appears that the apportionment for Georgetown County out of said fund of \$82,364 $\frac{5}{100}$ amounted to the sum of \$2,872 $\frac{60}{100}$; and whereas it further appears that the sum of \$372 $\frac{60}{100}$ has been expended out of the same for the purposes for which said money was appropriated, and which amount has proved sufficient to liquidate said claims, and that there remains now in the hands of the Treasurer of Georgetown County an unexpended balance of \$2,500 out of said apportionment aforesaid; and whereas it is doubtful if any part thereof can be expended by the County Treasurer except for the purposes for which the same was appropriated without additional authority; therefore,

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the said sum of twenty-five hundred dollars be, and the same is hereby, appropriated to be

apportioned among the several school districts of the said County of Georgetown, in proportion to the scholastic attendance thereof, by the County School Commissioner of said County, to be used and disbursed, as shall be agreed upon by the School Trustees of the several school districts, for the payment of teachers' salaries or to the purchase or lease of sites for school houses, to build, hire or purchase school houses, to keep them in repair, and to furnish the same with necessary fuel and appendages, or to furnish blackboards, outline maps and apparatus for illustrating the principles of science, or to discharge any debts or liabilities lawfully incurred; said amount of money to be held by the County Treasurer, subject to the orders of the School Trustees of their respective school districts, countersigned by the School Commissioner of said County of Georgetown.

A. D. 1876.

To be disbursed by School Trustees.

Approved February 24, 1876.

JOINT RESOLUTION TO PROVIDE AN APPROPRIATION FOR
THE PAYMENT OF BOND AND MORTGAGE HELD ON CERTAIN
LANDS PURCHASED BY THE STATE, IN LEXINGTON COUNTY.

No. 11.

Whereas Dr. J. F. Ensor sold and conveyed to the Land Commission certain lands formerly belonging to John H. Threewitt, in Lexington County, containing, in all, nine hundred and seventy acres, more or less, said sale being made subject to a bond and mortgage held by R. C. Shiver, deceased, for the sum of seventeen hundred and fifty dollars; and whereas the said bond and mortgage, nor any part thereof, has not been paid or satisfied, and still remains a valid lien on said property; therefore,

Preamble.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the State Treasurer be, and he is hereby, authorized, required and directed to pay to C. Bouknight, executor of R. C. Shiver, deceased, out of fees received in the State Treasury, from the office of Secretary of State, from Saluda Turnpike Company, and from interest received from banks on State deposits, the sum of seventeen hundred and fifty dollars (\$1,750), with interest thereon at the rate of seven per cent. per annum from January 11, 1869: *Provided, however,* That upon said payment being made in full, the said C. Bouknight, executor, as aforesaid, shall execute and deliver to the Secretary of State a full acquittal and release of said bond and mortgage.

Funds from which to be paid.

A. D. 1876. **SEC. 2.** That the sum of twenty-seven hundred dollars (\$2,700), or so much thereof as may be necessary, be, and the same is hereby, ^{Amount of} appropriated for the payment of the said bond and mortgage and interest thereon, as aforesaid.

Approved February 24, 1876.

No. 12. JOINT RESOLUTION AUTHORIZING THE COUNTY TREASURER OF WILLIAMSBURG COUNTY TO REGISTER CERTAIN BONDS IN ACCORDANCE WITH THE PROVISIONS OF AN ACT ENTITLED "AN ACT TO AMEND AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF WILLIAMSBURG COUNTY TO LEVY A SPECIAL TAX," APPROVED MARCH 3, 1874.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Treasurer of Williamsburg County be, and he is hereby, authorized and required, upon presentation of the same, to register ^{Bonds to be} the bonds and interest due on same, issued by the County Commissioners of Williamsburg County to David M. Duke, for the purchase of the County poor farm.

SEC. 2. That the bonds so registered shall be paid as now provided by an Act to amend an Act authorizing the County Commissioners of Williamsburg County to levy a special tax, approved March 3, 1874, and all the rights therein be, and they are hereby, vested in the holder or holders of said bonds, under the same restrictions and limitations as now provided for in the registration of the past indebtedness of the County.

Approved March 2, 1876.

No. 13. JOINT RESOLUTION REQUIRING PAST DUE SCHOOL CLAIMS IN NEWBERRY COUNTY TO BE REGISTERED.

Whereas there is now outstanding against Newberry County a large amount of school pay certificates, issued prior to the first day of November, 1874; therefore,

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the ^{School Commissioner to} School Commissioner of Newberry County shall cause to be registered in his office, in a book to be prepared by him for that purpose,

on or before the first day of April, 1876, all unpaid school pay certificates, issued prior to the first day of November, 1874, said registration to state the amount of such claim, date of issue, in whose favor drawn, by whom approved, and the holder thereof: *Provided*, That the School Commissioner shall give notice by publication in each of the two newspapers published in the town of Newberry for one month. The expenses incurred in advertising to be paid out of the fund applicable to the payment of the claims above mentioned.

A. D. 1876.

SEC. 2. That the Treasurer of Newberry County be, and he is hereby, authorized and required to hold all funds applicable to the payment of said past due school claims until he shall have received notification in writing from the School Commissioner of the registration of said claims, and, upon said notification, the Treasurer shall *pro rate* said funds, endorsing on each claim presented for payment the date, amount paid, to whom paid, and the balance due on said claim.

Treasurer to
pay from funds
applicable to
purpose.

Approved March 2, 1876.

JOINT RESOLUTION TO APPORTION AMONG THE SCHOOL DISTRICTS OF HORRY COUNTY, FOR SCHOOL PURPOSES, AN UNEXPENDED APPROPRIATION IN THE HANDS OF THE COUNTY TREASURER OF HORRY COUNTY.

No. 14.

Whereas it appears that the sum of \$82,364 $\frac{5}{100}$ was raised, to be apportioned in accordance with the provisions of division 1 of Section 4 of an Act to make appropriation to meet the ordinary expenses of the State government for the fiscal year commencing November 1, 1874, approved March 1, 1875, to the payment of the deficiencies of school claims and salaries of County School Commissioners due prior to November 1, A. D. 1873; and whereas it appears that the apportionment for Horry County out of said fund of \$82,364 $\frac{5}{100}$ amounted to the sum of \$1,118 $\frac{30}{100}$; and whereas it further appears that no part of said sum of \$1,118 $\frac{30}{100}$ was needed to pay such claims or salaries in said County, and still remains unexpended in the hands of the County Treasurer of Horry County; and whereas the said sum cannot be appropriated to any other purpose except to that for which it was apportioned without further authority of law; therefore,

Preamble.

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the said sum of eleven

A. D. 1876.
 How to be apportioned. hundred and eighteen and thirty one-hundredths dollars be, and the same is hereby, appropriated to the support of free common schools in the County of Horry, to be apportioned by the School Commissioner of said County upon the basis of school attendance in the various school districts of the said County of Horry.

Approved March 10, 1876.

No. 15. JOINT RESOLUTION TO PROVIDE FOR THE PAYMENT OF CERTAIN MONEYS TO WILLIAM PORTER.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the State Treasurer be, and he is hereby, authorized to pay to William Porter, out of any moneys in the State Treasury not otherwise appropriated, the sum of four hundred and fifty-five dollars, being the amount due by the State to the said William Porter for services by him performed as messenger in the Governor's office from November 1, 1873, until December 1, 1874.

SEC. 2. That the sum of four hundred and fifty-five dollars be, and the same is hereby, appropriated for the payment of the said claim of William Porter.

Approved March 10, 1876.

No. 16. JOINT RESOLUTION TO AMEND A JOINT RESOLUTION ENTITLED "A JOINT RESOLUTION TO AUTHORIZE THE COUNTY COMMISSIONERS OF CLARENDON AND FAIRFIELD COUNTIES TO LEVY AND COLLECT A SPECIAL TAX OF ONE AND ONE-HALF MILLS ON THE DOLLAR FOR THE PAYMENT OF THE PAST DUE INDEBTEDNESS OF SAID COUNTIES, AND TO REGULATE THE MANNER OF DISBURSING THE SAME."

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 2 of a Joint Resolution entitled "A Joint Resolution to authorize the County Commissioners of Clarendon and Fairfield Counties to levy and collect a special tax of one and one-half mills on the dollar for the payment of the past due indebtedness of said Counties, and to regulate the manner of disbursing the same," approved March 10,

Accounts of County Commissioners made preferred claims.

1875, be, and the same is hereby, amended by adding at the end thereof the following: "*Provided*, That the accounts of the County Commissioners of Clarendon County for the year 1873 be first paid in full out of the aforesaid levy."

A. D. 1876.

Approved March 20, 1876.

JOINT RESOLUTION TO AUTHORIZE THE STATE TREASURER No. 17.
TO RE-ISSUE TO R. B. MILLS CERTIFICATE OF STATE STOCK.

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the State Treasurer be, and he is hereby, authorized to re-issue to R. B. Mills certificate of State stock, of the same amount, payable at the same time, bearing the same interest as the one lost, (certificate No. 62, six per cent., New State House stock, Act 1861, redeemable 1886, and dated 27th November, 1867, for \$2,500); and the said R. B. Mills is hereby required to deposit with the State Treasurer a bond, legally executed, in the penal sum of five thousand dollars, to indemnify the State against loss.

Duplicate
stocks to be
issued.

Approved March 20, 1876.

JOINT RESOLUTION RELATIVE TO A CERTAIN PLANTATION IN No. 18.
THE COUNTY OF RICHLAND.

Whereas, Sarah W. Poole and Caleb Bouknight, as Executor of the last will and testament of Robert C. Shiver, deceased, claim that they are entitled to the possession of a certain plantation in Richland County, it being a part of the lands known as the "O'Hanlon Lands;" and whereas said plantation was purchased by the State, for and on account of the Land Commission, and is now in possession of Hon. H. E. Hayne, Secretary of State, and divers persons, to whom the State, through the Land Commissioner, has agreed to make warranty titles, upon the payment of certain prices therefor; and whereas the deed of conveyance of said plantation to the Land Commissioner, under which title the State claims said plantation, is radically defective, and cannot protect purchasers of the State thereunder; and whereas suits have already been brought against the Secretary of State and each and every person purchasing of the State; therefore,

Preamble.

A. D. 1876.

Attorney
General to ex-
amine title to
O'Hanlon
plantation.

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Attorney General of the State be, and he is hereby, directed and required to inquire into the title by which the State of South Carolina holds the plantation as set forth in the preamble of this Resolution, as well as the rights of Sarah W. Poole and Caleb Bouknight, executor of Robert C. Shiver, in such plantation, if any, and report the same, with all facts connected with the purchase of said plantation by the Land Commissioner, to the General Assembly at its next session after the passage of this Joint Resolution.

Approved March 20, 1876.

No. 19. JOINT RESOLUTION AUTHORIZING THE STATE TREASURER TO RE-ISSUE TO THE VESTRY OF ST. JAMES' GOOSE CREEK, CERTAIN CERTIFICATES OF STATE STOCK, THE ORIGINALS OF WHICH HAVE BEEN LOST OR DESTROYED.

Preamble.

Whereas it appears by the books of the State Treasurer that there have been issued certain certificates of State stock, commonly known as Fire Loan Stock, to the Vestry of St. James' Goose Creek, for the Ludlaw School Fund, of the following numbers and amounts, to wit: Certificate No. 410, for three hundred dollars, (\$300,) No. 355, for three hundred dollars, (\$300,) and No. 510, for one hundred dollars, (\$100); and whereas the original certificates have been lost or destroyed; therefore,

Duplicate
stock to be
issued.

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the State Treasurer be, and he is hereby, authorized to re-issue to the Vestry of St. James' Goose Creek, for Ludlaw School Fund, certificates of stock of the same amount, payable at the same time, and bearing the same rate of interest as those lost or destroyed; and the said Vestry of St. James' Goose Creek are hereby required, before receiving said new certificates, to deposit with the State Treasurer a bond legally executed in the penal sum of seven hundred dollars, to indemnify the State against loss.

Approved March 21, 1876.

JOINT RESOLUTION TO AUTHORIZE THE STATE TREASURER
TO RE-ISSUE TO H. D. LESESNE CERTAIN CERTIFICATES OF
STATE STOCK, THE ORIGINALS OF WHICH HAVE BEEN LOST OR
DESTROYED.

A. D. 1876.

No. 20.

Whereas it appears by the books of the State Treasurer that there has been issued to H. D. Lesesne a certain certificate of State stock, for the sum of four hundred dollars, under the loan for the construction of the State Capitol, and also a certain certificate of State stock, under the same Act, for the sum of two thousand nine hundred and seventy dollars, to said H. D. Lesesne, in trust; and whereas it appears that said certificates have been lost or destroyed; therefore,

Preamble.

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the State Treasurer be, and he is hereby, authorized to re-issue to H. D. Lesesne, and to H. D. Lesesne, in trust, certificates of stock of the same amount, payable at the same time, and bearing the same rate of interest as those lost or destroyed; and that said H. D. Lesesne be required, before receiving said new certificates, to give a bond, legally executed, in a penal sum equal to the amount of the certificates lost or destroyed, to indemnify the State against loss.

Duplicate
stock to be
issued.

Approved March 21, 1876.

JOINT RESOLUTION AUTHORIZING HENRY ARTHUR, E. C.
ARTHUR AND OTHERS TO ERECT AND MAINTAIN CERTAIN
GATES IN LEXINGTON COUNTY.

No. 21.

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Henry Arthur, E. C. Arthur and others be, and they are hereby, authorized and empowered to continue certain gates erected by them across the old State Road and the Barnwell Road, in Lexington County: *Provided*, Said gates are always in good repair.

Approved March 21, 1876.

A. D. 1876. **JOINT RESOLUTION TO LEGALIZE THE STREETS AND WAYS**
 No. 22. **IN THE TOWN OF RIDGEWAY, SOUTH CAROLINA.**

Preamble.

Whereas doubts have arisen as to the right of the Town Council of Ridgeway, under its Act of incorporation, approved March 10, 1875, to lay out and open streets and ways in said town ; therefore,

Streets legal-
ized.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the streets and ways of the town of Ridgeway, laid out and opened by the Town Council of said town, as shown by a plat of survey made and dated April, 1875, by Howell Edmunds, surveyor, are hereby declared to be the streets and ways of said town, and all other streets and highways in said town are hereby abolished.

May open
new streets.

SEC. 2. That the Town Council shall have power to lay out and open, from time to time, such additional streets and ways as the wants and convenience of citizens of said town may require: *Provided, always,* That the owner or owners of lands so taken and used shall be entitled, upon demand, to compensation for the same.

Approved March 21, 1876.

No. 23. **JOINT RESOLUTION AUTHORIZING AND DIRECTING THE**
SCHOOL COMMISSIONER OF EDGEFIELD TO PAY CERTAIN
SCHOOL CLAIMS AGAINST SAID COUNTY.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the School Commissioner of Edgefield County be, and he is hereby, authorized and directed to pay the following named school claims against Edgefield County from the current school fund for fiscal year commencing November 1st, 1875, that is to say: School claim of Mrs. Pauline A. Hunt, for \$131.25, School District No. 1; school claim of C. W. Creighton, \$35, School District No. 4; school claim of William Chamberlain, \$37.50, School District No. 18; James Carson, \$70, School District No. 3; J. G. Etheridge, \$35, School District No. 9; B. F. Sample, \$70, School District No. 3; J. G. Etheridge, \$52.50, School District No. 9; L. Murrell, \$50, School District No. 3: *Provided,* That the several amounts so paid shall be deducted from the apportionment belonging to the School Districts in which said services were rendered.

Payment of
certain school
claims.

SEC. 2. That the School Commissioner shall draw his order on the County Treasurer for the payment of said claims in the same manner as is now provided by law, and hold their certificates for his voucher.

A. D. 1876.

Approved March 21, 1876.

JOINT RESOLUTION REQUIRING CERTAIN CLAIMS TO BE REGISTERED WITH THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS OF KERSHAW COUNTY. No. 24.

Whereas Section 7 of an Act entitled "An Act to raise supplies for the fiscal year commencing November 1, 1875," levies a tax of one-half mill upon the taxable property of Kershaw County to pay the past indebtedness of said County, contracted during the fiscal year ending October 31, 1874; and whereas the Act above mentioned does not provide in what manner the funds arising under such levy shall be disbursed, or in anywise restrict the same; therefore,

Preamble.

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all persons holding claims against the fund to be raised under the provisions of Section 7 of an Act to raise supplies for the fiscal year commencing November 1, 1875, so far as relates to the half mill levied to meet the deficiencies of the fiscal year ending October 31, 1874, shall register the same with the Clerk of the Board of County Commissioners within ninety days from the date of the passage of this Joint Resolution, and the Board of County Commissioners shall thereupon audit all such claims, and draw checks upon the County Treasurer for the amount of claims allowed by them: *Provided, however,* That in case it shall appear that the amount raised by the said levy shall be insufficient to pay all such claims in full, then an allowance *pro rata* shall be made upon the same, and checks issued in accordance therewith.

Registry of claims.

County Commissioners to audit claims.

To pay claims *pro rata*.

Approved March 23, 1876.

A. D. 1876.

No. 25.

JOINT RESOLUTION TO PAY THE PAST INDEBTEDNESS OF
THE CORONER'S OFFICE OF CHARLESTON COUNTY.

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Treasurer of Charleston County is hereby required to pay the past indebtedness of the Coroner's office out of any moneys in hand collected from past due taxes or for the redemption of forfeited lands.

Approved March 24, 1876.

No. 26. JOINT RESOLUTION TO APPORTION AMONG THE SCHOOL DISTRICTS OF WILLIAMSBURG COUNTY, FOR SCHOOL PURPOSES, AN UNEXPENDED BALANCE OF AN APPROPRIATION IN THE HANDS OF THE COUNTY TREASURER OF WILLIAMSBURG COUNTY.

Preamble.

Whereas the apportionment for Williamsburg County out of the fund of \$82,364.05 raised to be apportioned in accordance with the provisions of division 1, Section 4, of an Act to make appropriation to meet the ordinary expenses of the State government for the fiscal year commencing November 1, 1874, approved March 1, 1875, was \$1,829.20, said apportionment to be applied to the payment of the deficiencies of school claims and salaries of County School Commissioners due prior to November 1, 1873; and

Whereas, after the payment of all such claims or salaries due in said County, there remains in the hands of the County Treasurer of Williamsburg County an unexpended balance of said apportionment, amounting to \$765.16; and

Whereas the said sum cannot be appropriated to any other purpose except to that for which it was apportioned without further authority of law; therefore,

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the said sum of seven hundred and sixty-five $\frac{16}{100}$ dollars, (\$765 $\frac{16}{100}$) or so much thereof as may be necessary, be applied to the payment of any and all outstanding school orders, without regard to the particular date when the same fell due; and that the balance thereof, if any should remain, be appropriated to the support of the free common schools in the County of Williamsburg, to be apportioned by the School Commissioner of said County upon the basis of the scholastic attendance in the various school districts of the said County of Williamsburg.

Approved March 24, 1876.

Apportion-
ment of bal-
ance of school
fund.

JOINT RESOLUTION TO AUTHORIZE AND EMPOWER THE COUNTY COMMISSIONERS OF GREENVILLE COUNTY TO APPLY A CERTAIN COUNTY FUND TO THE PAYMENT OF THE PAST INDEBTEDNESS OF SAID COUNTY.

A. D. 1876.

No. 27.

Whereas James M. Runion, late County Treasurer for Greenville County, did deposit a considerable amount of County funds in the South Carolina Bank and Trust Company; and whereas a large portion of said fund was collected for the purpose of paying the July, 1875, interest upon the County of Greenville bonds to the Atlanta and Richmond Air Line Railroad Company; and whereas certain coupons of the said bonds and other debts due by the said County remain unpaid; now, therefore,

Preamble.

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners for Greenville County be, and they are hereby, authorized and empowered to apply the proceeds of the one mill tax levied by them for the purpose of retiring bonds of the said County to the Atlanta and Richmond Air Line Railroad Company, to the payment of the past indebtedness of the said County: *Provided*, That so much thereof shall be necessary: *And provided, further*, That the fund deposited in the said South Carolina Bank and Trust Company, when received from said bank, or from the said James M. Runion and his bondsmen, be applied by the County Commissioners of Greenville County to the retiring the bonds of said County to the said Atlanta and Richmond Air Line Railroad Company.

Proceeds of certain tax applied to past indebtedness.

Approved March 24, 1876.

JOINT RESOLUTION AUTHORIZING THE COUNTY COMMISSIONERS OF BEAUFORT COUNTY TO LEVY A SPECIAL TAX.

No. 28.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Beaufort County be, and they are hereby, authorized and directed to levy and collect a special tax of one mill on the dollar on all the taxable property of said County, and continue the collection of the same each succeeding year until the sum of twelve thousand dollars, (\$12,000,) if so much be necessary, shall have been collected; said special tax to be used each year, exclusively, to the payment of the past due indebtedness of said

One mill for past indebtedness.

A. D. 1876.

Beaufort County, accrued during the fiscal years 1873-74 and 1874-75.

Registry.

SEC. 2. Those persons holding such claims against said County be, and they are hereby, required to file a list of the same, with the amount and date thereof, in the office of the County Treasurer within ninety days from and after the first of September, 1876.

What claims to be paid.

SEC. 3. That it shall be the duty of the County Treasurer to report the amount of money collected from this tax the same as all other taxes are reported to the County Commissioners; and for whatever amount of said tax is reported to be in the treasury, the County Commissioners shall advertise for sealed bids from parties holding checks or audited claims contracted during said fiscal years of 1873-74 and 1874-75; said bids shall be opened at a regular meeting of the Board, and they shall draw their orders on the Treasurer for parties who will offer the largest per centum discount on their checks or audited claims.

Penalty for violation of this Resolution.

SEC. 4. That any officer authorized and empowered to carry out the provisions of this Joint Resolution who shall fail in any respect in the performance of his duty shall be deemed to have committed a malfeasance in office, and, upon conviction, shall forfeit his office, and shall be subject to a fine of not less than one hundred nor more than one thousand dollars, at the discretion of the Court.

Approved March 24, 1876.

No. 29. JOINT RESOLUTION TO AUTHORIZE AND REQUIRE THE COUNTY COMMISSIONERS OF COLLETON COUNTY TO LEVY AND COLLECT A SPECIAL TAX TO PAY THE PAST DUE INDEBTEDNESS OF SAID COUNTY.

One and three-fourths mills for past indebtedness.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Colleton County be, and they are hereby, authorized and required to levy and collect, at the time of the collection of the regular tax, a special tax of one and three-fourths mills on the dollar of the taxable property of the said County for the fiscal year commencing November 1, 1876, and one-fourth mill for the building of Rantowl and Wallace Bridges, if so much be necessary.

SEC. 2. That all Acts or parts of Acts, Joint Resolutions and parts of Joint Resolutions, inconsistent with this Joint Resolution are hereby repealed.

Approved March 24, 1876.

JOINT RESOLUTION AUTHORIZING THE PAYMENT OF CERTAIN SCHOOL CLAIMS IN ABBEVILLE COUNTY.

A. D. 1876.

No. 30.

Preamble.

Whereas, by a recent report of the County Treasurer of Abbeville County, made to the grand jury of said County, there is remaining in the hands of said Treasurer the sum of eight hundred and twenty-five dollars (\$825) of the poll tax collected for the scholastic year of 1875; and

Whereas there are certain school claims for the year of 1874, in said County, remaining unpaid and forming a part of the indebtedness of said County; therefore,

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the sum of five hundred dollars, (\$500,) if so much be necessary, be, and the same is hereby, appropriated for the payment of the said outstanding school claims.

Apportion-
ment for cer-
tain school
claims.

Approved March 24, 1876.

JOINT RESOLUTION AUTHORIZING THE STATE TREASURER TO RE-ISSUE TO THOMAS R. WARING, GUARDIAN OF T. B. GARDEN, CERTAIN CERTIFICATES OF STOCK.

No. 31.

Preamble.

Whereas it appears by the books of the State Treasurer that there has been duly issued certain certificates of State stock, to the amount of twenty-four hundred and seven 84-100 dollars, to Thomas R. Waring, guardian of T. B. Garden; and

Whereas the said T. B. Garden is now of full age, and entitled to the said certificates of stock absolutely; and

Whereas said stock has been lost, mislaid or destroyed, and it is equitable and just that the stock should be renewed on the part of the State; therefore,

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the State Treasurer be, and is hereby, authorized to re-issue to Thomas R. Waring, guardian of T. B. Garden, certificates of stock of the same amount, payable at the same time, and bearing the same rate of interest, as those lost, mislaid or destroyed; and the said T. B. Garden is hereby required to deposit with the State Treasurer a bond, legally executed, in the penal sum of twenty-four hundred and seven 84-100 dollars, to indemnify the State against loss.

Duplicate
stock to be
issued.

Approved March 24, 1876.

A. D. 1876.

No. 32.

JOINT RESOLUTION AUTHORIZING THE COUNTY COMMISSIONERS OF ORANGEBURG COUNTY TO LEVY AND COLLECT A SPECIAL TAX.

Three and
one-quarter
mills for new
Court House.

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Orangeburg County be, and they are hereby, authorized and directed to levy and collect a special tax of three and one-quarter (3¼) mills on the dollar on all the taxable property of said County for the fiscal year commencing November 1, 1876, the said tax to be used exclusively in the payment of expenses incurred in the construction of the new Court House now in course of erection in the County of Orangeburg.

Approved March 24, 1876.

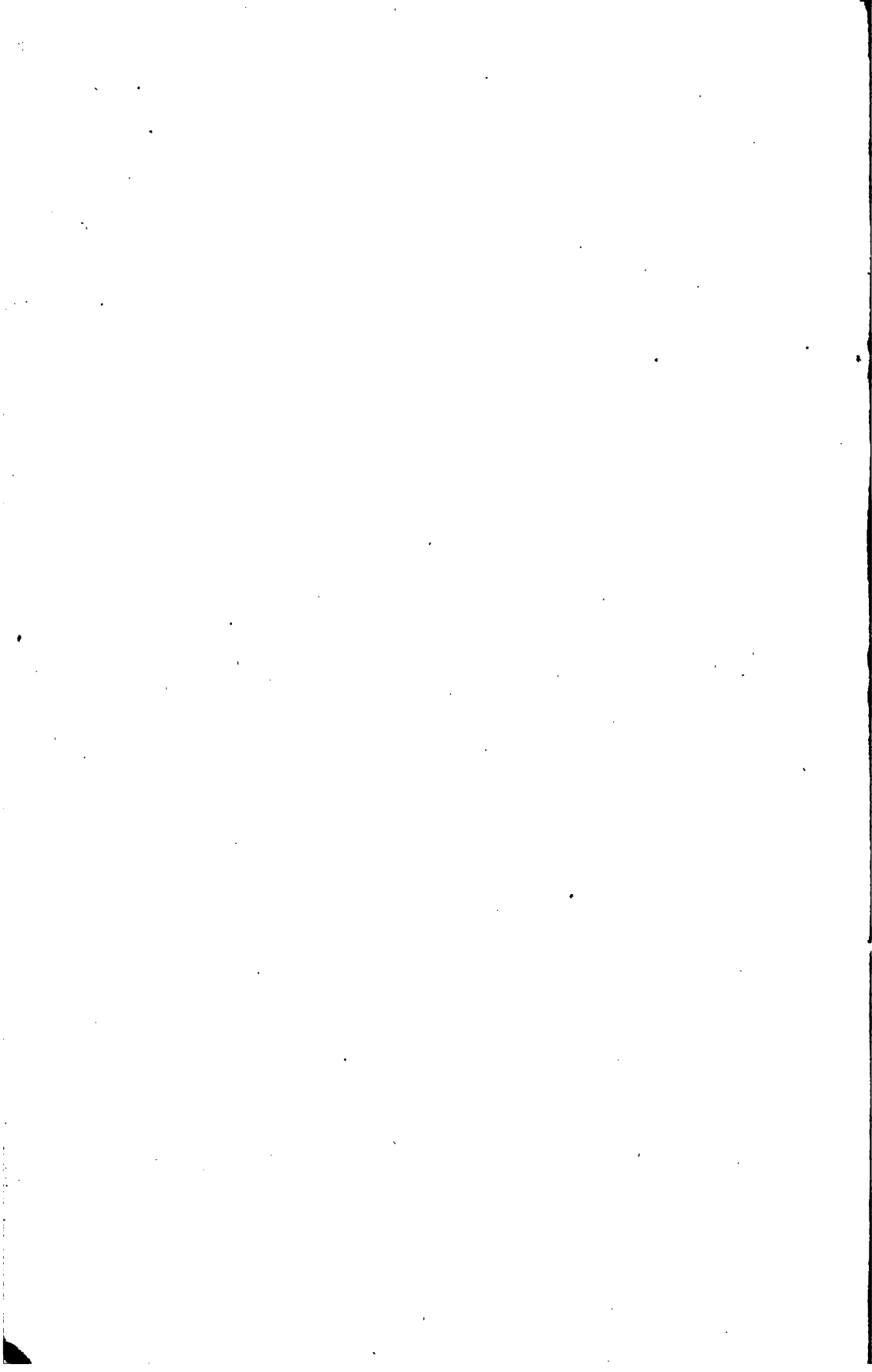
No. 33. JOINT RESOLUTION REQUIRING THE REPAIR OF THE PALMETTO TREE IN FRONT OF THE STATE HOUSE.

Appropriation
to repair Pal-
metto Tree.

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Governor is authorized to contract for the repair of the Palmetto monument in front of the State Capitol, and to draw his warrant on the State Treasurer in payment of the same: *Provided*, That the amount so drawn shall not exceed two thousand dollars. And the State Treasurer is hereby required to pay the same out of funds in his hands accruing from sales of lands purchased by the Land Commission and sold under the law regulating the same.

Approved April 15, 1876.

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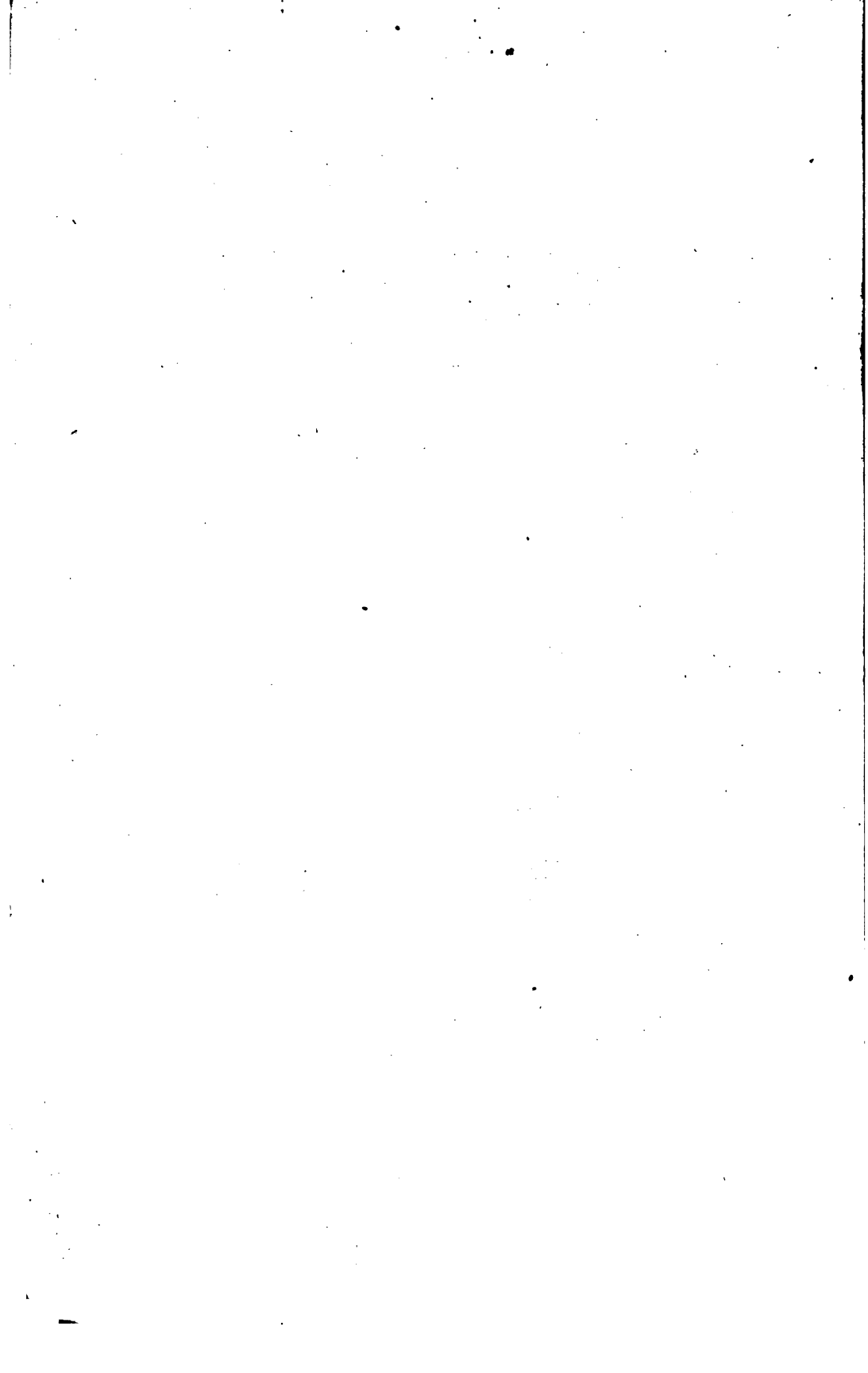
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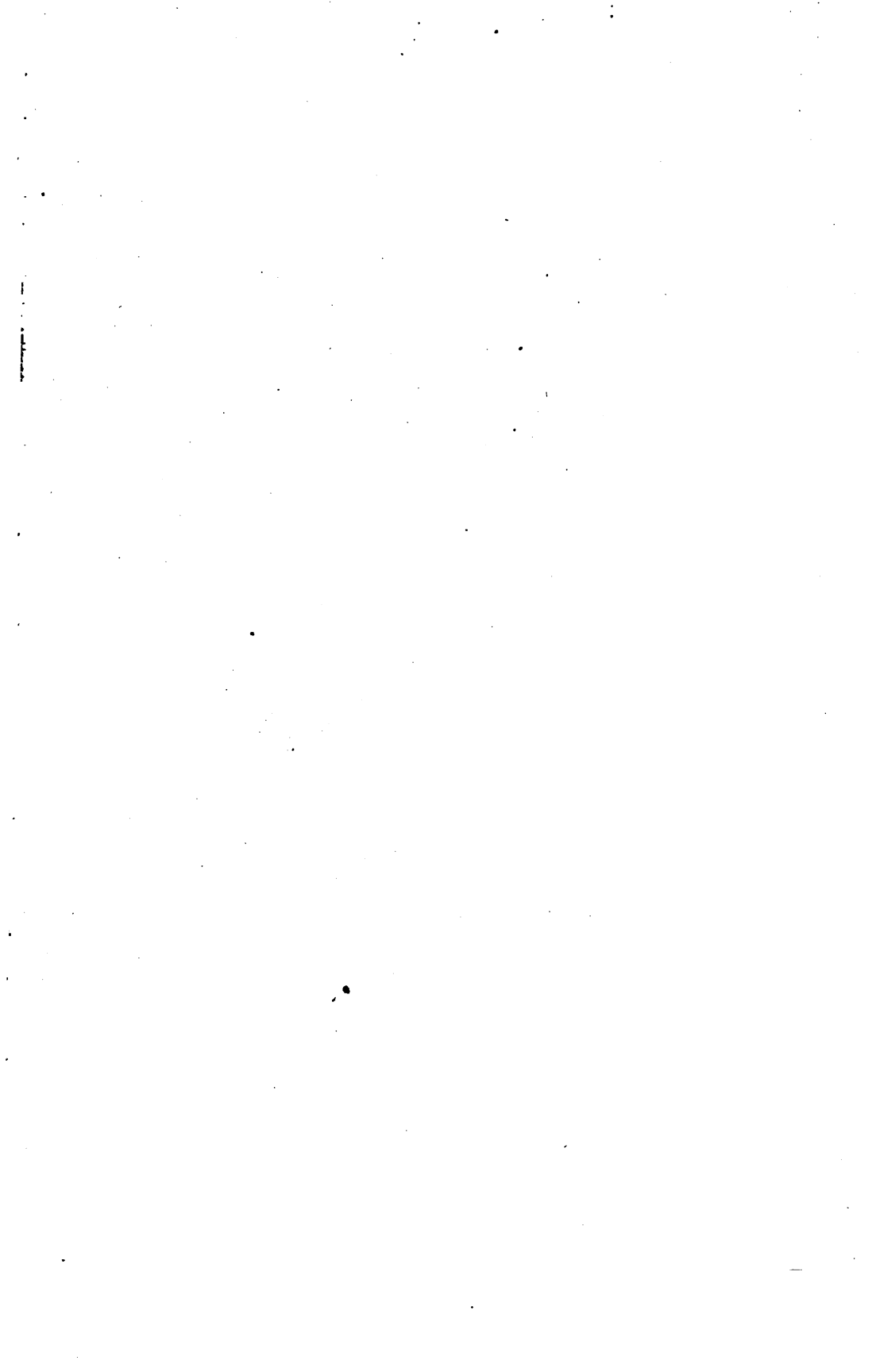
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